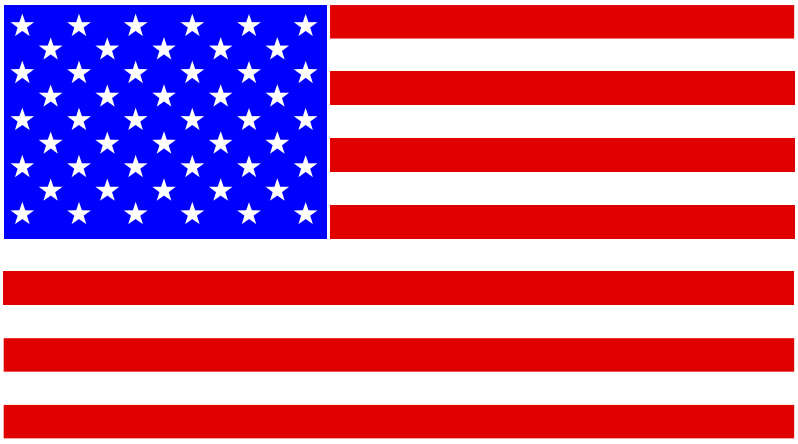
WHY YOU ARE A "NATIONAL", "STATE NATIONAL", AND CONSTITUTIONAL BUT NOT STATUTORY CITIZEN

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Last Revised: 2/10/2014



=Constitutional "Citizen"

=statutory "non-citizen national"

≠statutory "U.S. citizen"

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TABLE OF CONTENTS

TABLE OF CONTENTS **2**

LIST OF TABLES **4**

LIST OF FIGURES **4**

TABLE OF AUTHORITIES **4**

1. INTRODUCTION **22**

1.1 Purpose 22
1.2 Why the content of this pamphlet is important 24
1.3 Applying what you learn here to your circumstances 25
1.4 Definitions of key citizenship terms and contexts 26
1.4.1 Context for the words "alien" and "national" 27
1.4.2 "Alien" versus "alien individual" 27
1.4.3 "resident" 28
1.4.4 Physically present 29
1.4.5 Legally but not physically present 29

2. MEANING OF "UNITED STATES" **33**

2.1 Three geographical definitions of "United States" 33
2.2 The two political jurisdictions/nations within the United States* 35
2.3 "United States" as a corporation and a Legal Person 37
2.4 Why the STATUTORY "United States" does not include states of the Union 40

3. "STATUTORY" v. "CONSTITUTIONAL" CITIZENS **43**

3.1 LEGAL/STATUTORY status v. POLITICAL/CONSTITUTIONAL Status 45
3.2 Statutory citizen/resident status is entirely voluntary and discretionary. Constitutional citizen/nationality status is NOT 46
3.3 Comparison 50
3.4 How one transitions from being a constitutional citizen to a statutory citizen/resident 55
3.5 Who started the STATUTORY v. CONSTITUTIONAL citizen confusion SCAM 59

4. PROOF THAT STATUTORY CITIZENS/RESIDENTS ARE A FRANCHISE STATUS THAT HAS NOTHING TO DO WITH YOUR DOMICILE **61**

4.1 Legal Dictionary 61
4.2 Criminalization of being a "citizen of the United States" in 18 U.S.C. §911 64
4.3 U.S. Supreme Court: Murphy v. Ramsey 67
4.4 U.S. Supreme Court: Cook v. Tait 67
4.5 U.S. v. Valentine, 288 F.Supp. 958, 980 (1968) 71
4.6 Summary 72

5. STATUTORY "CITIZENS" v. STATUTORY "NATIONALS" **75**

6. FOUR TYPES OF AMERICAN NATIONALS **84**

7. WHAT IS A "NON-CITIZEN NATIONAL" OR "STATE NATIONAL"? **86**

8. LEGAL BASIS FOR "NON-CITIZEN NATIONAL" AND "STATE NATIONAL" STATUS **87**

8.1 8 U.S.C. §1408: Nationals but not citizens of the United States** at birth 87
8.2 Why Congress can't define the CIVIL STATUTORY status of those born within constitutional states of the Union 89
8.3 Expatriation: 8 U.S.C. §1481 90
8.4 Statutory geographical definitions 91
8.5 The Fourteenth Amendment 95
8.6 Department of State Foreign Affairs Manual (FAM) 97

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8.7 Federal court jurisdiction 98
8.8 Title 8 status definitions 100
8.9 Conclusions 101

9. SUMMARY OF CONSTRAINTS APPLYING TO STATUTORY "NON-CITIZEN NATIONAL" STATUS 102

10. HOW THE GOVERNMENT HAS DELIBERATELY OBFUSCATED THE CITIZENSHIP ISSUE 103
10.1 Introduction 104
10.2 The Hague Convention HIDES the ONE portion that differentiates NATIONALITY from DOMICILE 106
10.3 Social Security Administration HIDES your citizenship status in their NUMIDENT records 106
10.4 "Citizenship" in federal court implies Domicile on federal territory not within any state 108
10.5 Obfuscated federal definitions to confuse Statutory Context with Constitutional Context 110
10.6 State statutory definitions of "U.S. citizen" 118
10.7 Legal definition of "citizen" 118

11. CITIZENSHIP, DOMICILE, AND TAX STATUS OPTIONS SUMMARY 120
11.1 The Four "United States" 120
11.2 Statutory v. Constitutional contexts 122
11.3 Statutory v. Constitutional Citizens 124
11.4 Citizenship Status v. Tax Status 126
11.5 Effect of Domicile on Citizenship Status 130
11.6 Meaning of Geographical "Words of Art" 132
11.7 Citizenship and Domicile Options and Relationships 133
11.8 Statutory Rules for Converting Between Various Domicile and Citizenship Options Under Federal Law 134
11.9 Effect of Federal Franchises and Offices Upon Your Citizenship and Standing in Court 136
11.10 Federal Statutory Citizenship Statuses Diagram 140

12. CITIZENSHIP IN GOVERNMENT RECORDS 142

13. HOW TO DESCRIBE YOUR CITIZENSHIP ON GOVERNMENT FORMS AND CORRESPONDENCE 142
13.1 Overview 143
13.2 Tabular summary of citizenship status on all federal forms 146
13.3 Diagrams of Federal Government processes that relate to citizenship 149
13.4 How the corrupt government CONCEALS and OBFUSCATES citizenship information on government forms to ENCOURAGE misapplication of federal franchises to states of the Union 151
13.5 The Social Security Administration and Form SS-5 151
13.6 The Department of Homeland Security and Form I-9 153

14. ANSWERING QUESTIONS FROM THE GOVERNMENT ABOUT YOUR CITIZENSHIP SO AS TO PROTECT YOUR SOVEREIGN STATUS 155

15. ARGUING OR EXPLAINING YOUR CITIZENSHIP IN LITIGATION AGAINST THE GOVERNMENT 159

16. QUESTIONS AND ANSWERS 163
16.1 Are those Born Abroad to American National Parents or those who Marry American Nationals still "non-citizen nationals"? 163
16.2 Am I a Statutory "U.S. citizen" if My Parents were in the Military and I was born Abroad? 165
16.3 Doesn't a "Consular Report of Birth" for a person born abroad make one into a statutory "U.S. citizen" rather than constitutional "citizen of the United States*"? 166

17. REBUTTED ARGUMENTS AGAINST THOSE WHO DISAGREE WITH THIS PAMPHLET 167
17.1 Contradictions in Government publications 167
17.2 Legal Profession contradictions 172

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17.3 Freedom Advocate Flawed Argument: Misconceptions about "privileges and immunities" under the Fourteenth Amendment 180
17.4 Freedom Advocate Flawed Argument: State citizens are Not Fourteenth Amendment "citizens of the United States" 182

18. RESOURCES FOR FURTHER STUDY AND REBUTTAL 191

19. QUESTIONS THAT READERS, GRAND JURORS, AND PETIT JURORS SHOULD BE ASKING THE GOVERNMENT 192
19.1 Admissions 192
19.2 Interrogatories 208

APPENDIX A: CITIZENSHIP DIAGRAMS 212

LIST OF TABLES

Table 1: Meanings assigned to "United States" by the U.S. Supreme Court in Hooven & Allison v. Evatt 34
Table 2: Statutory v. Constitutional "Citizens" compared 54
Table 3: Citizenship summary 80
Table 4: Civil and political status 81
Table 5: Effect of domicile on citizenship status 82
Table 6: Terms used in the citizenship diagram 86
Table 7: Types of "nationals" under federal law 87
Table 8: Becoming a "national" by birth 88
Table 9: SSA NUMIDENT CSP Code Values 107
Table 10: Citizenship terms 113
Table 11: Geographical terms used throughout this page 120
Table 12: "Citizenship status" vs. "Income tax status" 127
Table 13: Effect of domicile on citizenship status 130
Table 14: Meaning of geographical "words of art" 132
Table 15: Tabular Summary of Citizenship Status on Government Forms 147
Table 16: Describing your citizenship and status on government forms 155
Table 17: Meaning of jurisdictional phrases beginning with "subject to" 184
Table 18: Meanings assigned to "United States" by the U.S. Supreme Court in Hooven & Allison v. Evatt 195

LIST OF FIGURES

Figure 1: Citizenship diagram 86
Figure 2: Citizenship and domicile options and relationships 133
Figure 3: Federal Statutory Citizenship Statuses Diagram 140

TABLE OF AUTHORITIES

Constitutional Provisions

13th Amendment 185, 201
14th Amend., Sect. 1 147, 148
15th Amendment 185, 187
19th Amendment 185, 187
26th Amendment 187
9th and 10th Amendments 196
Amendment 14 186
Amendments 14 and on 185
Amendments 15, 19, and 26 186

Annotated Fourteenth Amendment 51
Annotated Fourteenth Amendment, Congressional Research Service 30, 51
Art I, Sec 9, Cl 4 154
Art. 1, § 2, cl. 3, § 9, cl. 4 138
Art. 1, 2 32
Art. 1, 9, 4 32
Art. I, Sec, 8, Clause 17 59
Art. IV, Sec. 2 190
Article 1, § 8, cl. 4 181
Article 1, Section 2, Clause 2 185
Article 1, Section 3, Clause 3 185
Article 1, Section 8, Clause 10 88
Article 1, Section 8, Clause 17 183, 184, 208
Article 1, Section 8, Clause 3 198
Article 1, Section 8, Clause 6 198
Article 1, Section 8, Clause 7 198
Article 4, Section 2, Clause 3 198
Article 4, Section 3, Clause 2 70, 201
Article 6 52
Article I, Section 2, Clause 2 149
Article I, Section 8, Clause 17 85
Article III, Clause 3 102
Article III, Section 2 70
Article IV, s 3, Cl. 2 of the Constitution 202
Article IV, Section 3, Clause 2 57
Articles of Confederation 209
Bill of Rights 22
Const., Art. I, 8 202
Constitution Article 4, Section 4 62
Constitutional Amendments 15, 19, and 26 185
Declaration of Independence 47, 63, 102
Federal Constitution 50
Fifth Amendment 25, 110
First Amendment 65, 100, 110, 156, 167, 205, 206, 207
Fourteenth Amendment .. 45, 46, 50, 51, 52, 54, 70, 75, 78, 79, 83, 95, 96, 102, 110, 111, 112, 114, 116, 119, 123, 135, 139, 142, 143, 144, 149, 154, 155, 159, 169, 180, 181, 183, 185, 186, 187, 188, 189, 190, 197, 198, 199
Fourteenth Amendment Annotated, Findlaw 183
Fourteenth Amendment, Section 1 23, 54, 84, 87, 159, 184, 185
Fourteenth Amendment, Section 5 187
Sixteenth Amendment 24, 139
The Federalist No. 45, pp. 292-293 (C. Rossiter ed. 1961) 193, 202
The Federalist No. 51, p. 323. (C. Rossiter ed. 1961) 39
Thirteenth Amendment 32, 70, 119, 184, 189, 198
Thirteenth and Fifteenth Amendments 186
Thirteenth and Fourteenth Amendment 50
U.S. Const, Article III 75
U.S. Const., 14th Amend 47, 75, 118
U.S. Const., Art. I, 8 193
U.S.A. Constitution 144, 188
United States Constitution 27, 30, 31, 174

Statutes

1 Stat. 477 23, 54, 209
1 Stat. 477, SEDM Exhibit #01.004 180, 209
100 Stat. 1480 173
117 Stat. 2801 173

117 Stat. 2802 173
12 Stat. 432 139
120 Stat. 80 173
121 Stat. 1743 173
123 Stat. 53 173
17 Stat. 401 139
18 U.S.C. §1542 174
18 U.S.C. §1581 198
18 U.S.C. §1589(3) 198
18 U.S.C. §1622 156
18 U.S.C. §201(a) 23
18 U.S.C. §208 73, 210
18 U.S.C. §4001 98
18 U.S.C. §6002 156
18 U.S.C. §654 202
18 U.S.C. §911 58, 64, 65, 108
18 U.S.C. §912 108
19 Stat. 419 139
22 U.S.C. §1731 166
22 U.S.C. §212 83, 158, 169
22 U.S.C. §2705 166
22 U.S.C. §2721 65, 100
26 U.S.C. §§6671(b) and 7343 30
26 U.S.C. §§7206 and 7207 28
26 U.S.C. §§7701(a)(9) and (a)(10), 7701(a)(39), and 7408(d) 82, 130
26 U.S.C. §1101(a)(21) 119
26 U.S.C. §3121(e) 28, 57, 61, 105, 142, 144, 150, 160, 187, 188
26 U.S.C. §3121(e)(2) 159, 160
26 U.S.C. §3401(c) 105
26 U.S.C. §3401(d) 105
26 U.S.C. §3402(p)(3) 154
26 U.S.C. §6013(g) and (h) 28, 58, 129, 134
26 U.S.C. §6041(a) 59
26 U.S.C. §6671 137
26 U.S.C. §6671(b) 32, 137
26 U.S.C. §7343 32, 137
26 U.S.C. §7408(d) 22, 82, 130, 135
26 U.S.C. §7701(a)(10) 29, 105, 195
26 U.S.C. §7701(a)(14) 31, 105
26 U.S.C. §7701(a)(26) 59, 105, 137
26 U.S.C. §7701(a)(30) 25, 54, 55, 58, 82, 105, 130, 135, 150
26 U.S.C. §7701(a)(39) 22, 82, 84, 130, 135
26 U.S.C. §7701(a)(9) 29, 105
26 U.S.C. §7701(a)(9) and (a)(10) 24, 32, 82, 123, 130, 135, 204, 208
26 U.S.C. §7701(b)(1)(A) 23, 25, 54, 59, 80, 82, 130, 134, 144, 198
26 U.S.C. §7701(b)(1)(B) 134, 143, 176
26 U.S.C. §7701(b)(4) 105
26 U.S.C. §7701(b)(4)(B) 134
26 U.S.C. §771(b)(1)(B) 208
26 U.S.C. §911 24, 67, 72, 82, 129, 130, 159
28 Stat. 53 173
28 Stat. 64 173
28 U.S.C. §§754 and 959(a) 31, 37
28 U.S.C. §1332 56, 70, 75, 119
28 U.S.C. §1332(a)(3) 69
28 U.S.C. §1332(e) 39
28 U.S.C. §1332(e) 55, 56, 69

28 U.S.C. §1602 through 1611 55
28 U.S.C. §1603(b)(3) 24, 39, 188
28 U.S.C. §1605 188
28 U.S.C. §1653 49, 69
28 U.S.C. §3002(15)(A) 33, 34, 37, 58, 66, 136, 196
31 U.S.C. §5314 25
32 Stat. 694 173
36 Stat. 328 173
37 Stat. 499 173
38 Stat. 692 173
38 Stat. 818 173
4 U.S.C. §§105-113 195
4 U.S.C. §110(d) 29, 54, 82, 91, 105, 123, 130, 132, 195
4 U.S.C. §72 31, 32, 38, 63
40 U.S.C. §§3111 and 3112 41, 76
40 U.S.C. §3112 176
42 Stat. 106 173
42 U.S.C. §1301(a)(2) 153
42 U.S.C. §1981(a) 187, 188
42 U.S.C. §1983 187, 188
42 U.S.C. §1994 198
46 U.S.C. §50501 70
47 Stat. 142 173
48 Stat. 1 59
48 Stat. 454 173
48 Stat. 456 173
5 U.S.C. §2105(a) 31, 105, 129
5 U.S.C. §552a(a)(2) 82, 130, 145
54 Stat. 4 173
57 Stat. 308 173
58 Stat. 101 173
8 U.S.C. §§1101(a)(21) 188
8 U.S.C. §§1101(a)(36) and (a)(38) 27
8 U.S.C. §§1401 and 1408 41
8 U.S.C. §110(d) 197
8 U.S.C. §1101 76, 77, 91, 100, 174
8 U.S.C. §1101(a)(21) .. 23, 27, 46, 49, 54, 57, 58, 77, 80, 83, 84, 86, 88, 92, 98, 99, 101, 110, 111, 116, 118, 123, 130, 134, 135, 143, 145, 147, 148, 149, 153, 155, 157, 158, 161, 164, 165, 169, 171, 174, 176, 177, 180, 183, 188, 194, 195, 200, 209, 211
8 U.S.C. §1101(a)(22) 43, 46, 48, 80, 113, 118, 167, 176, 180, 188
8 U.S.C. §1101(a)(22)(b) 164
8 U.S.C. §1101(a)(22)(B) ... 23, 77, 82, 84, 86, 90, 92, 110, 113, 118, 130, 134, 147, 150, 153, 161, 165, 169, 171, 175, 176, 183
8 U.S.C. §1101(a)(23) 166, 171, 208
8 U.S.C. §1101(a)(29) 127, 147
8 U.S.C. §1101(a)(3) 26, 27, 28, 54, 80, 134, 148, 153
8 U.S.C. §1101(a)(31) 100
8 U.S.C. §1101(a)(36) 40, 93, 94, 154, 168
8 U.S.C. §1101(a)(36) and (a)(38) 27
8 U.S.C. §1101(a)(38) 40, 43, 92, 93, 94, 95, 101, 102, 135, 146, 168
8 U.S.C. §1101(a)(38), (a)(36) 40, 43, 127, 129, 147, 149
8 U.S.C. §140124, 25, 28, 36, 37, 39, 42, 43, 54, 57, 58, 61, 78, 80, 82, 83, 84, 85, 88, 91, 93, 100, 101, 105, 107, 113, 116, 119, 130, 135, 142, 143, 145, 147, 150, 153, 157, 158, 159, 161, 164, 165, 167, 169, 170, 171, 174, 176, 180, 182, 187, 188, 197, 199, 208, 209
8 U.S.C. §1401–1459 76
8 U.S.C. §1408 43, 164
8 U.S.C. §1421 134, 164

8 U.S.C. §1452 83, 84, 86, 87, 90, 93, 110, 113, 130, 134, 147, 165, 169, 170, 171, 188, 208, 209
8 U.S.C. §1481 88, 90, 181, 208
8 U.S.C. 1401 144
8 U.S.C.A. §1401 116, 117
87 Stat. 397 173
87 Stat. 635 173
88 Stat. 1444 173
88 Stat. 2064 173
89 Stat. 543 173
90 Stat. 1268 173
90 Stat. 269 173
91 Stat. 1212 173
91 Stat. 1214 173
92 Stat. 1949 173
92 Stat. 72 173
96 Stat. 2483 173
97 Stat. 661 173
98 Stat. 2302 173
99 Stat. 624 173
Act of February 10, 1855, R.S. 1993, 8 U.S.C.A. 6 79
California Civil Code, §1589 39, 65
California Revenue and Taxation Code (R&TC) sections 17018 and 6017 195
Code of Virginia, Section §46.2-328.1 25
Corporation Excise Tax Act of 1909 139
Corporation Tax Law of 1909 139
District of Columbia Act of 1871, 16 Stat. 419, 426, Sec. 34 82, 130
Emergency Banking Relief Act, 48 Stat. 1 59
Executive Order 6102 60
Foreign Sovereign Immunities Act (F.S.I.A.) 23, 24, 39, 55, 188
Foreign Sovereign Immunities Act (F.S.I.A.), 28 U.S.C. §1601-1611 39
Foreign Sovereign Immunities Act (F.S.I.A.), 28 U.S.C. §1605(a)(2) 26
Foreign Sovereign Immunities Act (F.S.I.A.), 28 U.S.C. Chapter 97 23, 129, 175, 177, 179
Foreign Sovereign Immunities Act (F.S.I.A.), 28 U.S.C. Part 4, Chapter 97 28
Freedom Of Information Act (FOIA) 107
Homeland Security Act of 2002 164
Immigration and Nationality Act of 1940 95
Immigration and Nationality Act, Section 216 165
Immigration and Nationality Act, Section 308 (8 U.S.C. 1408) 198
Immigration and Nationality Act, Section 320: Children born outside the United States and residing permanently in the United States; conditions under which citizenship automatically acquired 165
Immigration and Nationality Act, Title III, Chapters 1 and 2 (8 U.S.C. 1401-1459) 198
Immigration Reform and Control Act of 1986 153
Internal Revenue Code Subtitles A and C 30
Internal Revenue Code, 26 U.S.C. 143
Internal Revenue Code, Subtitle A 65
Internal Revenue Code, Subtitles A and C 29
Internal Revenue Code, Subtitles A through C 28
Longarm Statutes 175
Revised Statutes (1868), §1999, p. 350 169
Rules of Decision Act, 28 U.S.C. §1652 179
Stat. at L. 216, chap. 60 32
Title 18 of the U.S. Code 184, 187
Title 22 167
Title 26 152
Title 26 of the U.S. Code 23, 112, 143, 187, 188
Title 40 of the U.S. Code 94
Title 40 of the U.S. Code prior to 2005 94

Title 48 84
Title 48 of the United States** Code 93
Title 48 of the United States[**] Code 93
Title 8 41, 42, 103, 112, 167, 180
Title 8 of the U.S. Code 23, 41, 42, 94, 112, 143, 176, 180
Title 8, Section 1101 99
U.S. Comp. St. 1901, p. 1262 190

Regulations

20 C.F.R. §422.104 58, 144
20 C.F.R. §422.110(a) 107, 153, 154
24 C.F.R. §5.504 173
26 C.F.R. §1.1-1 105, 144
26 C.F.R. §1.1-1(a)(2)(ii) 82, 129, 130
26 C.F.R. §1.1-1(c) 54, 55, 57, 61, 67, 76, 84, 134, 135, 142, 150, 159, 187, 188, 198
26 C.F.R. §1.1441-1 (c)(3)(i) 27
26 C.F.R. §1.1441-1(c)(3) 27, 82, 129, 130, 142
26 C.F.R. §1.1441-1(c)(3)(i) 27, 28, 54, 123, 134
26 C.F.R. §1.1441-1(c)(3)(ii) 129, 134
26 C.F.R. §1.871-2 134
26 C.F.R. §1.871-4(b) 134
26 C.F.R. §1.871-4(c)(ii) 134
26 C.F.R. §301.6109-1(b) 144
26 C.F.R. §301.6109-1(d)(3) 129
26 C.F.R. §301.6109-1(g)(1)(i) 154
26 C.F.R. §301.7701(b)-1(d) 129
26 C.F.R. §301.7701-5 30, 59
26 C.F.R. §31.3121(e)-1 115, 116, 117
26 C.F.R. §31.3121-1(e) 54
31 C.F.R. §103.34(a)(3)(x) 108
31 C.F.R. §306.10 108
5 C.F.R. §338.101 87
8 C.F.R. §215.1 93, 94
8 C.F.R. §215.1(f) 27, 40, 43, 129, 149, 168
8 C.F.R. §216 165
Iowa Administrative Code § 871-24.60 (96) 173
Washington Administrative Code § 388-424-0001 173

Rules

Federal Rule of Civil Procedure 17(b) 28, 30, 31, 37, 38, 46, 58, 68, 136, 137, 156, 175, 177, 179
Federal Rule of Civil Procedure 17(b)(2) 31
Federal Rule of Civil Procedure 19(b) 49, 69
Federal Rule of Civil Procedure 21 69
Federal Rule of Civil Procedure 43(d) 156
Federal Rule of Civil Procedure 44.1 156
Federal Rule of Civil Procedure 8(b)(6) 162, 177, 178, 192
Federal Rule of Criminal Procedure 54(c) prior to Dec. 2002 99
Federal Rule of Evidence 603 156
Federal Rule of Evidence 610 156
Federal Rules of Civil Procedure 179
Federal Rules of Criminal Procedure 99
Federal Rules of Criminal Procedure, Rule 26, Notes of Advisory Committee on Rules, paragraph 2 99

Cases

7 Cranch, 144 49
Abood v. Detroit Bd. of Ed., 431 U.S. 209, 97 S.Ct. 1782, 52 L.Ed.2d. 261, 95 L.R.R.M. (BNA) 2411, 81 Lab.Cas. (CCH) ¶ 55041 (1977) 206
Abood v. Detroit Board of Education, 431 U.S. 209 (1977) 110
Afroyim v. Rusk, 387 U.S. 253 (1967) 181
Alla v. Kornfeld, 84 F.Supp. 823 (1949) 190
American Banana Co. v. U.S. Fruit, 213 U.S. 347 at 357-358 193
American Ins. Co. v. Canter, 1 Pet. 511 67
Arver v. United States, 245 U.S. 366 (1918) 52
Ashton v. Cameron County Water Improvement District No. 1, 298 U.S. 513, 56 S.Ct. 892 (1936) 41
Attorney General v. Hatton, Bunbury's Exch. Rep. 262 68
Attorney General v. Jewers and Batty, Bunbury's Exch. Rep. 225 68
Attorney General v. Sewell, 4 M.&W. 77 68
Attorney General v. Weeks, Bunbury's Exch. Rep. 223 68
Baker v. Keck, 13 F.Supp. 486 (1936) 109
Baldwin v. Franks, 120 U.S. 678, 7 S.Ct. 763, 32 L.Ed. 766 109
Baltimore & Ohio Railroad Co. v. Chambers, 73 Ohio.St. 16, 76 N.E. 91, 11 L.R.A., N.S., 1012 (1905) 78, 200
Balzac v. Porto Rico, 258 U.S. 298 (1922) 188
Bank of Augusta v. Earle, 38 U.S. (13 Pet.) 519, 10 L.Ed. 274 (1839) 194
Barney v. Baltimore, 6 Wall. 280, 18 L.Ed. 825 34, 158
Beagle v. Motor Vehicle Acc. Indemnification Corp., 44 Misc.2d. 636, 254 N.Y.S.2d 763, 765 76
Benny v. O'Brien, 58 N.J.Law 36, 39, 40, 32 Atl. 696 (1895) 185
Berea College v. Kentucky, 211 U.S. 45 (1908) 30, 51, 54
Boutilier v. Immigration and Naturalization Service, 387 U.S. 118, 123 (1967) 135
Bowers v. Kerbaugh-Empire Co., 271 U.S. 170, 174 (1926) 139
Bowlin v. Commonwealth, 65 Kent.Rep. 5, 29 (1867) 189
Boyd v. Nebraska, 143 U.S. 135 (1892) 111, 115
Bradley v. Fisher, 13 Wall 335,351 203
Bridgeport v. New York & N. H. R. Co., 36 Conn. 255, 4 Arn.Rep. 63 64
Broadrick v. Oklahoma, 413 U.S. 601, 616 -617 (1973) 39
Brookfield Const. Co. v. Stewart, 284 F.Supp. 94 203
Brown v. Keene, 8 Pet. 112, 115 (1834) 48, 69
Brushaber v. Union P. R. Co., 240 U.S. 1, 17 139
Budd v. People of State of New York, 143 U.S. 517 (1892) 202
Burgin v. Forbes, 293 Ky. 456, 169 S.W.2d. 321, 325 30, 204
Caha v. U.S., 152 U.S. 211 (1894) 41
Calvin's Case, 7 Coke, 6a 52, 186
Campbell v. Board of Dental Examiners, 53 Cal.App.3d. 283, 125 Cal.Rptr. 694, 696 95
Carlisle v. U.S., 16 Wall. 147, 155 (1872) 49
Carter v. Carter Coal Co., 298 U.S. 238, 56 S.Ct. 855 (1936) 41, 99, 169, 194, 200
Chae Chan Ping v. U.S., 130 U.S. 581 (1889) 135, 136, 200
Chae Chan Ping v. U.S., 130 U.S. 581, 603, 604, 9 Sup.Ct. 623 (1889) 49
Chicago &c. R. Co. v. Chicago, 166 U.S. 226 207
Chisholm v. Georgia, 2 Dall. (U.S.) 419 (Dall.) (1793) 93
Chisholm v. Georgia, 2 Dall. (U.S.) 419, 1 L.Ed. 440 (1793) 26, 35, 36, 113, 209
Chisholm v. Georgia, 2 Dall. (U.S.) 419, 454, 1 L.Ed. 440, 455 (1793), pp. 471-472 89
Chisholm, Ex'r. v. Georgia, 2 Dall. (U.S.) 419, 1 L.Ed. 454, 457, 471, 472 (1793) 77
City of Boerne v. Florez, Archbishop of San Antonio, 521 U.S. 507 (1997) 38, 65, 138
City of Dallas v Mitchell, 245 S.W. 944 (1922) 109
Civil Service Comm'n v. Letter Carriers, 413 U.S. 548, 556 (1973) 39
Clearfield Trust Co. v. United States, 318 U.S. 363, 369 (1943) 66
Cleveland Bed. of Ed. v. LaFleur, 414 U.S. 632, 639-640, 94 S.Ct. 1208, 1215 (1974) 162
Cline v. Frink Dairy Co., 274 U.S. 445, 47 S.Ct. 681 (1927) 101
Cohens v. Virginia, 19 U.S. 264, 6 Wheat. 265, 5 L.Ed. 257 (1821) 26, 50, 123, 161, 193, 200
Cohens v. Virginia, 6 Wheat. 264, 413 135, 199
Coke in Calvin's Case, 7 Coke, 6a 186
Colautti v. Franklin, 439 U.S. 379 (1979) 160

Colautti v. Franklin, 439 U.S. 379, 392, and n. 10 (1979) 160, 204
Colautti v. Franklin, 439 U.S. at 392-393, n. 10 160, 205
Coleman v. Thompson, 501 U.S. 722, 759 (1991) 39
Colgate v. Harvey, 296 U S. 404, 427 (1935) 190
Connally v. General Construction Co., 269 U.S. 385 (1926) 101
Connick v. Myers, 461 U.S. 138, 147 (1983) 39
Cook v. Hudson, 511 F.2d. 744, 9 Empl.Prac.Dec. (CCH) ¶ 10134 (5th Cir. 1975) 205
Cook v. Tait, 265 U.S. 47 (1924) 24, 68
Cooke v. United States, 91 U.S. 389, 398 (1875) 66
Cory et al. v. Carter, 48 Ind. 327, (1874) headnote 8 189
Cross v. Harrison, 16 How. 164 67
Crosse v. Bd. of Supvrs of Elections, 221 A.2d. 431 (1966) 48, 190
Crouch v. Benet, 198 S.C. 185, 17 S.E.2d. 320, 322 62
Cunard S.S. Co. v. Mellon, 262 U.S. 100, 43 S.Ct. 504 (1923) 116
Curtin v. State, 61 Cal.App. 377, 214 P. 1030, 1035 69
D.D.B. Realty Corp. v. Merrill, 232 F.Supp. 629, 637 75, 119
Davidson v. New Orleans, 96 U.S. 97, 102 207
Delany v. Moralitis, C.C.A.Md., 136 F.2d. 129, 130 76
Delaware &c. R. Co. v. Pennsylvania, 198 U.S. 341, 358 207
Delaware, L. & W.R. Co. v. Petrowsky, 2 Cir., 250 F. 554, 557 58, 109
Delaware, L. & W.R.Co. v. Petrowsky, C.C.A.N.Y., 250 F. 554, 557 45, 109, 125
Dollar Savings Bank v. United States, 19 Wall. 227 68
Downes v. Bidwell, 182 U.S. 244 (1901) 22, 24, 32, 34, 35, 37, 50, 59, 158, 162, 172, 185, 193, 197
Doyle v. Mitchell Brothers Co., 247 U.S. 179, 185 139
Dred Scott v. Sandford, 19 How. 393 67
Dred Scott v. Sandford, 19 How. 393, 404 111
Dred Scott v. Sandford, 19 How. 393, 576 111
Du Vernay v. Ledbetter, 61 So.2d. 573 (1952) 190
Earley v. Hershey Transit Co., 55 F.Supp. 981, D.C.PA. (1944) 58, 109
Earley v. Hershey Transit Co., D.C. Pa., 55 F.Supp. 981, 982 56, 58, 109
Edgewater Realty Co. v. Tennessee Coal, Iron & Railroad Co., D.C.Md., 49 F.Supp. 807, 809 109
Edwards v. Cuba Railroad, 268 U.S. 628, 633 139
Eisner v. Macomber, 252 U.S. 189, 207 139
Elk v. Wilkins, 112 U.S. 94 (1884) 184
Elliott v. City of Eugene, 135 Or. 108, 294 P. 358, 360 63
Ex parte Blain, L. R. 12 Ch. Div. 522, 528 193
Fauntleroy v. Lum, 210 U.S. 230 , 28 S.Ct. 641 68
Federal Trade Com. V. Simplicity Pattern Co., 360 U.S. 55, p. 55, 475042/56451 (1959) 30
Ferguson v. Commissioner of Internal Revenue (5th Cir. 1991) 921 F.2d. 488, 489 156
First Carolinas Joint Stock Land Bank of Columbia v. New York Title & Mortgage Co., D.C.S.C., 59 F.2d. 350, 351 109
First Trust Co. of Lincoln v. Smith, 134 Neb. 84, 277 N.W. 762 (1938) 61
Flint v. Stone Tracy Co., 220 U.S. 107 (1911) 138
Foley Brothers, Inc. v. Filardo, 336 U.S. 281 (1949) 41
Fong Yue Ting v. United States, 149 U.S. 698 (1893) 44, 125, 135, 207
Fox v. Standard Oil Co. of N.J., 294 U.S. 87, 95-96 (1935) 160, 205
Frost & Frost Trucking Co. v. Railroad Comm'n of California, 271 U.S. 583 71
Frost v. Railroad Commission, 271 U.S. 583, 46 S.Ct. 605 (1926) 172
Gardina v. Board of Registrars of Jefferson County, 160 Ala. 155, 48 So. 788 (1909) 190
Gardina v. Board of Registrars, 160 Ala. 155 51, 53
Gardina v. Board of Registrars, 160 Ala. 155, 48 S. 788, 791 (1909) 190
Gardner v. Broderick, 392 U.S. 273, 277 -278 (1968) 39
Gibbons v. Udaras na Gaeltachta, D.C.N.Y., 549 F.Supp. 1094, 1116 119
Goodrich v. Edwards, 255 U.S. 527, 535 139
Gould v. Gould, 245 U.S. 151 (1917) 204
Grayned v. City of Rockford, 408 U.S. 104, 108 (1972) 101
Gregory v. Ashcroft, 501 U.S. 452, 458 (1991) 193, 202
Gregory v. Ashcroft, 501 U.S., at 458 39

Grosjean v. American Press Co., 297 U.S. 233, 244 (1936) 30, 51, 54
Haaland v. Attorney General of United States, D.C.Md., 42 F.Supp. 13, 22 75, 118
Haig v. Agee, 453 U.S. 280 (1981) 158
Halperin v. Kissinger, 606 F.2d. 1192 (D.C. Cir. 1979) 61
Hammer v. Dagenhart, 247 U.S. 251, 275 , 38 S.Ct. 529, 3 A.L.R. 649, Ann.Cas.1918E 724 41, 99, 169, 194, 200
Harding v. Standard Oil Co. et al. (C.C.) 182 F. 421 109
Harman v. Forssenius, 380 U.S 528 at 540, 85 S.Ct. 1177, 1185 (1965) 71
Heart of Atlanta Motel, Inc. v. United States, 379 U.S. 241 (1964) 38, 65, 138
Hepburn v. Ellzey, 2 Cranch, 445, 2 L.Ed. 332 34, 158, 197
Herriott v. City of Seattle, 81 Wash.2d. 48, 500 P.2d. 101, 109 47, 75
Hodges v. U.S., 203 U.S. 1, 27 S.Ct. 6 (U.S. 1906) 201
Home Bldg. &Loan Ass'n v. Blaisdell, 290 U.S. 398, 54 S.Ct. 231, 78 L.Ed. 413, 88 A.L.R. 1481 (1934) 61
Hooe v. Jamieson, 166 U.S. 395 , 41 L.Ed. 1049, 17 Sup.Ct.Rep. 596 34, 158, 197
Hooven & Allison Co. v. Evatt, 324 U.S. 652 (1945) 33, 34, 57, 92, 151, 157, 169, 195, 210
Hooven and Allison v. Evatt, 324 U.S. 652 (1945) 120, 123
Hunt v. Noll, C.C.A.Tenn., 112 F.2d. 288, 289 75, 119
In re Bodek (C. C.) 63 F. 813, 814, 815 181
Indians, United States v. Hester, C.C.A.Okl., 137 F.2d. 145, 147 75, 118
Insurance Co. v. New Orleans, 13 Fed.Cas. 67 (C.C.D.La. 1870) 30, 51
Irwin v. Gavit, 268 U.S. 161, 167 139
Jaffee v. State, 76 Okl.Cr. 95, 134 P.2d. 1027, 1032 62
James v. Bowman, 190 U.S. 127, 139 (1903) 38, 65, 138
Jeffcott v. Donovan, C.C.A.Ariz., 135 F.2d. 213, 214 109
Jizemerjian v. Dept of Air Force, 457 F.Supp. 820 75, 119
Jones v. Alfred H. Mayer Co., 379 F.2d. 33, 43 (1967) 190
Jones v. Mayer, 392 U.S. 409 (1798) 84
Jones, 1 Cl.Ct. at 85 66
Jonesboro Trust Co. v. Nutt, 118 Ark. 368, 176 S.W. 322, 324 109
Jose Napoleon Marquez-Almanzar v. Immigration and Naturalization Service, Docket # 03-4395, 03-40027, 03-40497, August 8, 2005 90
Julliard v. Greenman: 110 U.S. 421 (1884) 93
K. Tashiro v. Jordan, 201 Cal. 236, 256 P. 545, 48 Supreme Court. 527 (1927) 190
Kelley v. Johnson, 425 U.S. 238, 247 (1976) 39
Kleindienst v. Mandel, 408 U.S. 753 (1972) 135
Lacey v. State, 13 Ala.App. 212, 68 So. 706, 710 69
Lansing v. Smith, 4 Wendell 9, (NY) (1829) 99
Lathrop v. Donohue, 367 U.S. 820, 81 S.Ct. 1826, 6 L.Ed.2d. 1191 (1961) 205
Liberty Warehouse Co. v. Tobacco Growers, 276 U.S. 71, 89 (1928) 30, 51, 54
License Cases, 5 How. 583 72
License Tax Cases, 72 U.S. 462 (1866) 139
License Tax Cases, 72 U.S. 462, 18 L.Ed. 497, 5 Wall. 462, 2 A.F.T.R. 2224 (1866) 63, 108
Loughborough v. Blake, 5 Wheat. 317, 5 L.Ed. 98 32
Luria v. United States, 34 S.Ct. 10, 231 U.S. 9, 22 58 L.Ed. 101 181
Luther v. Borden, 48 U.S. 1 (1849) 205
Mackenzi v. Hare, 1915, 239 U.S. 299, 36 S.Ct. 106, 60 L.Ed. 297 49
Madden v. Commonwealth of Kentucky, 309 U.S. 83 (1940) 187
Manning v. Ketcham, 58 F.2d. 948 203
Marbury v. Madison, 5 U.S. 137, 163 (1803) 121
Marshalsea, 10 Coke 68 203
Maxwell v. Dow, 176 U.S. 581 (1899) 71
McCloud v. Testa, 97 F.3d. 1536, 12 I.E.R. Cas. (BNA) 1833, 1996 FED App. 335P (6th Cir. 1996) 206
McCombs v. Dallas County, Tex.Civ.App., 136 S.W.2d. 975,982 62
McDonel v. State, 90 Ind. 320, 323(1883) 189
Meese v. Keene, 481 U.S. 465, 484 (1987) 160, 204
Meese v. Keene, 481 U.S. 465, 484-485 (1987) 160, 205
Merchants' L. & T. Co. v. Smietanka, 255 U.S. 509, 219 139
Meredith v. United States, 13 Pet. 486, 493 68

Messick v. Southern Pa. Bus Co., D.C.Pa., 59 F.Supp. 799, 800 109
Miles v. Safe Deposit Co., 259 U.S. 247, 252-253 139
Miller Brothers Co. v. Maryland, 347 U.S. 340 (1954) 66, 162, 207
Miller v. Albright, 523 U.S. 420 (1998) 167, 176
Milwaukee v. White, 296 U.S. 268 (1935) 68
Miners' Bank v. Iowa ex rel. District Prosecuting Attorney, 12 How. 1, 13 L.Ed. 867 34, 197
Minor v. Happersett, 88 U.S. 162 (1874) 83, 96, 115
Missouri Pacific Railway v. Nebraska, 164 U.S. 403, 417 207
Mitchell v. Harmony, 54 U.S. 115, 13 How. 115, 14 L.Ed. 75 (1851) 61
Mt. Hope Cemetery v. Boston, 158 Mass. 509, 519 207
Munn. v. Illinois, 94 U.S. 113 (1876) 72
Murphy v. Ramsey, 114 U.S. 15 (1885) 67
National Bank v. County of Yankton, 101 U.S. 129 67
National Banks, American Surety Co. v. Bank of California, C.C.A.Or., 133 F.2d. 160, 162 75, 118
New Orleans v. Winter, 1 Wheat. 91, 4 L.Ed. 44 34, 197
Newblock v. Bowles, 170 Okl. 487, 40 P.2d. 1097, 1100 30, 204
Newman-Green v. Alfonso Larrain, 490 U.S. 826 (1989) 49, 69
Oceanic Navigation Co. v. Stranahan, 214 U.S. 320, 339 (1909) 135
O'Connor v. Ortega, 480 U.S. 709, 723 (1987) 39
O'Donoghue v. United States, 289 U.S. 516, 53 S.Ct. 740 (1933) 34
Ohio L. Ins. & T. Co. v. Debolt, 16 How. 416, 14 L.Ed. 997 99
O'Neill v. United States, 231 Ct.Cl. 823, 826 (1982) 66
Orient Ins. Co. v. Daggs, 172 U.S. 557, 561 (1869) 30, 51, 54
Ortiz-Pinero v. Rivera-Arroyo, 84 F.3d. 7 (1st Cir. 1996) 206
Osborn v. Bank of U.S., 22 U.S. 738 (1824) 61, 170
Pannill v. Roanoke, 252 F. 910, 914 53
Pannill v. Roanoke, 252 F. 910, 914 (1918) 190
Papachristou v. City of Jacksonville, 405 U.S. 156 (1972) 101
Parrish v. Nikolits, 86 F.3d. 1088 (11th Cir. 1996) 206
Paul v. Virginia, 75 U.S. (8 Wall.) 168 (1869) 30, 51, 54
Paul v. Virginia, 8 Wall (U.S.) 168, 19 L.Ed. 357 (1868) 85, 136
Paul v. Virginia, 8 Wall. 168, 178 56
Penhallow v. Doane, 3 Dall. 54, 80, 81, Fed.Cas. No. 10925 209
Pennsylvania v. Bridge Co., 13 How. 518 56
People of Territory of Guam v. Fegurgur, 800 F.2d. 1470 (9th Cir. 1986) 65
People v. Merrill, 2 Park. Crim. Rep. 590, 596 193
People v. Utica Ins. Co.. 15 Johns., N.Y., 387, 8 Am.Dec. 243 64
Perkins v. Elg, 307 U.S. 325 (1939) 171, 208
Perkins v. Elg, 307 U.S. 325, 59 S.Ct. 884, 83 L.Ed. 1320 (1939) 49, 79, 90, 113, 114, 208, 211
Pierce v. Emery, 32 N.H. 484 64
Piqua Bank v. Knoup, 6 Ohio.St. 342, 393 (Ohio 1856) 172
Piqua Branch Bank v. Knoup, 6 Ohio.St. 393 36, 105, 200
Pollock v. Farmer's Loan & T. Co., 157 U.S. 429, 29 L.Ed. 759, 15 Sup.St.Rep. 673, 158 U.S. 601, 39 L.Ed. 1108, 15 Sup.Ct.Rep. 912 139
Powe v. United States, 109 F.2d 147 (1940) 43, 124
Price v. United States, 269 U.S. 492, 46 S.Ct. 180 68
Proprietors of Charles River Bridge v. Proprietors of Warren Bridge, 36 U.S. 420 (1837) 37, 136
Providence Bank v. Billings, 29 U.S. 514 (1830) 42
Prowd v. Gore, 1922, 207 P. 490, 57 Cal.App. 458 117
Public Workers v. Mitchell, 330 U.S. 75, 101 (1947) 39
Radich v. Hutchins, 95 U.S. 210 (1877) 49
Railroad Co. v. Railroad Co., 112 U.S. 414 , 5 Sup.Ct.Rep. 208 56
Railroad Company v. Jackson, 7 Wall. 262 207
Railway Emp. Dept. v. Hanson, 351 U.S. 225, 76 S.Ct. 714, 100 L.Ed. 1112 (1956) 205
Rieser v. District of Columbia, 563 F.2d. 462 119
Robertson v. Cease, 97 U.S. 646, 648-649 (1878) 48, 69
Rundle v. Delaware & Raritan Canal Co., 55 U.S. 80 (1852) 56

Rutan v. Republican Party of Illinois, 497 U.S. 62 (1990) 39
Rutan v. Republican Party of Illinois, 497 U.S. 62, 110 S.Ct. 2729, 111 L.Ed.2d. 52, 5 I.E.R. Cas. (BNA) 673 (1990) 206
Schneider v. Rusk, (1964) 377 U.S. 163 198
Scott v. Jones, 5 How. 343, 12 L.Ed. 181 34, 158, 197
Scott v. Sandford, 19 How. 393, 476, 15 L.Ed. 691 109
Selover, Bates & Co. v. Walsh, 226 U.S. 112, 126 (1912) 30, 51, 54
Sewell v. Georgia, 435 U.S. 982 (1978) 101
Sharon v. Hill, 26 F. 337 (1885) 109
Shelmadine v. City of Elkhart, 75 1nd.App. 493, 129 N.E. 878 69
Slaughter-House Cases, 83 U.S. (16 Wall.) 36, 21 L.Ed. 394 (1873) 23, 42, 51, 110, 111, 112, 114, 116, 123, 159, 169, 180, 197
Slaughter-House Cases, 83 U.S. 36 (1873) 51, 114
Smith v. Allwright, 321 U.S. 649, 644 71
Smith v. Smith, 206 Pa.Super. 310, 213 A.2d. 94 44, 66, 109, 125, 162
Southern Pacific Co. v. Lowe, 247 U.S. 330, 335 139
Standard Stoker Co. v. Lower, D.C.Md., 46 F.2d. 678, 683 56, 58, 109
State ex re. Maisano v. Mitchell, 155 Conn. 256, 231 A.2d. 539, 542 76
State ex rel. Colorado River Commission v. Frohmiller, 46 Ariz. 413, 52 P.2d. 483, 486 69
State of Wisconsin v. Pelican Insurance Co., 127 U.S. 265 (1888) 56
State Tax on Foreign-Held Bonds, 15 Wall. 300 207
State v. Black Diamond Co., 97 Ohio.St. 24, 119 N.E. 195, 199, L.R.A. 1918E, 352 64
State v. Brennan, 49 Ohio.St. 33, 29 N.E. 593 69
State v. Carter, 27 N.J.L. 499 193
State v. Fernandez, 106 Fla. 779, 143 So. 638, 639, 86 A.L.R. 240 63
State v. Fowler, 41 La.Ann. 380, 6 S. 602 (1889) 190
Stenberg v. Carhart, 530 U.S. 914 (2000) 160, 205
Stockwell v. United States, 13 Wall. 531, 542 68
Stratton's Independence v. Howbert, 231 U.S. 399, 415 139
Strawbridge v. Curtiss, 3 Cranch 267 (1806) 48, 69
Swiss Nat. Ins. Co. v. Miller, 267 U.S. 42, 45 S.Ct. 213, 214, 69 L.Ed. 504 62
Talbot v. Janson, 3 U.S. 133 (1795) 77
Tappan v. Merchants' National Bank, 19 Wall. 490, 499 207
The Chinese Exclusion Case, 130 U.S. 581, 604 , 606 S., 9 S.Ct. 623 209
The Chinese Exclusion Case, 130 U.S. 581, 609 (1889) 135
Thorpe v. R. & B. Railroad Co., 27 Vt. 143 72
Tomoya Kawakita v. United States, 190 F.2d. 506 (1951) 50
Tutun v. United States Neuberger v.Same, 270 U.S. 568 (1926) 181
Twining v. New Jersey, 211 U.S. 78 (1908) 190
U. S. v. Carlisle, 16 Wall. 147, 155 186
U.S. v. Carlisle, 16 Wall. 147, 155 52
U.S. v. Cooper, 312 U.S. 600, 604, 61 S.Ct. 742 (1941) 90
U.S. v. Cruikshank, 92 U.S. 542 (1875) 189
U.S. v. LaBrecque, D.C. N.J., 419 F.Supp. 430, 432 95
U.S. v. Lopez, 514 U.S. 549 (1995) 193, 202
U.S. v. Minoru Yasui, D.C.Or., 48 F.Supp. 40, 54 75, 118
U.S. v. Slater, 545 Fed.Supp. 179,182 (1982) 24
U.S. v. Spelar, 338 U.S. 217 at 222 41
U.S. v. Spelar, 338 U.S. 217 at 222 (1949) 92
U.S. v. State of Cal., 332 U.S. 19, 67 S.Ct. 1658 (U.S. 1947) 202
U.S. v. United Mine Workers of America, 330 U.S. 258, 67 S.Ct. 677 (1947) 90
U.S. v. Valentine, 288 F.Supp. 957, 980 (1968) 71
U.S. v. Whiteridge, 231 U.S. 144, 34 S.Sup.Ct. 24 (1913) 139
U.S. v. Will, 449 U.S. 200 (1980) 203
U.S. v. Wong Kim Ark, 169 U.S. 649 (1898) 151, 170, 186
U.S. v. Wong Kim Ark, 169 U.S. 649, 18 S.Ct. 456, 42 L.Ed. 890 (1898) 23, 44, 83, 95, 96, 125, 149, 159, 184, 198
Udny v. Udny (1869) L. R. 1 H.L.Sc. 441 45, 89, 175
Union Refrigerator Transit Company v. Kentucky, 199 U.S. 194 (1905) 207

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United States v. Anthony, 24 Fed. Cas. 829 (No. 14,459), 830 (1873) 189
United States v. Bostwick, 94 U.S. 53, 66 (1877) 66
United States v. Chamberlin, 219 U.S. 250 , 31 S.Ct. 155 68
United States v. City and County of San Francisco, 310 U.S. 16, 29, 30, 60 S.Ct. 749, 756, 757, 84 L.Ed. 1050. 202
United States v. Cruikshank, 92 U.S. 542 (1875) 48
United States v. Curtiss-Wright Export Corporation, 299 U.S. 304 (1936) 158, 209
United States v. Gerads, 999 F.2d. 1255, 1256-57 (8th Cir. 1993) 159
United States v. Ginsberg, 37 S.Ct. 422, 243 U.S. 472, 475 (61 L. Ed. 853) 181
United States v. Goodwin, 457 U.S. 368, 372 , 102 S.Ct. 2485, 2488, 73 L.Ed.2d. 74 (1982) 65
United States v. Gratiot, 14 Pet. 526 67
United States v. Guest, 383 U.S. 745 (1966) 38, 65, 138
United States v. Harris, 106 U.S. 629, 639 (1883) 38, 65
United States v. Hilgeford, 7 F.3d. 1340, 1342 (7th Cir. 1993) 159
United States v. Hudson, 11 U.S. 32, 3 L.Ed. 259 (1812) 99
United States v. Jagim, 978 F.2d. 1032, 1036 (9th Cir. 1992) 159
United States v. Kusche, D.C.Cal., 56 F.Supp. 201 207, 208 76
United States v. Looper (4th Cir. 1969), 419 F.2d. 1405, 1407 156
United States v. Masat, 948 F.2d. 923, 934 (5th Cir. 1991) 159
United States v. Mundt, 29 F.3d. 233, 237 (6th Cir. 1994) 159
United States v. National Exchange Bank of Baltimore, 270 U.S. 527, 534 (1926) 66
United States v. Phellis, 257 U.S. 156, 169 139
United States v. Price, 798 F.2d. 111, 113 (5th Cir. 1986) 159
United States v. Reese, 92 U.S. 214, 218 (1876) 38, 65, 138
United States v. Shanahan (D. C.) 232 F. 169, 171 181
United States v. Silevan, 985 F.2d. 962, 970 (8th Cir. 1993) 159
United States v. Sloan, 939 F.2d. 499, 500-01 (7th Cir. 1991) 159
United States v. Supplee-Biddle Co., 265 U.S. 189, 194 139
United States v. Ward (9th Cir. 1992), 989 F.2d. 1015, 1019 156
United States v. Winstar Corp. 518 U.S. 839 (1996) 66
United States v. Wong Kim Ark, 169 U.S. 649, 18 S.Ct. 456, 42 L.Ed. 890 (1898) 45, 49, 52, 89, 116, 175
United States v. Worrall, 2 U.S. 384 (1798) 31
Van Brocklin v. State of Tennessee, 104H117 U.S. 151 (1886) 42
Van Valkenbrg v. Brown (1872), 43 Cal. Sup.Ct. 43, 47 189
VanHorne's Lessee v. Dorrance, 2 U.S. 304 (1795) 41
Veix v. Sixth Ward Building & Loan Ass'n of Newark, 310 U.S. 32, 60 S.Ct. 792, 84 L.Ed. 1061 (1940) 61
Vickery v. Jones, 100 F.3d. 1334 (7th Cir. 1996), cert. denied, 117 S.Ct. 1553, 137 L.Ed.2d. 701 (U.S. 1997) 206
Vlandis v. Kline (1973) 412 U.S. 441, 449, 93 S.Ct 2230, 2235 162
Von Schwerdtner v. Piper, D.C.Md., 23 F.2d. 862, 863 75
Wadleigh v. Newhall 136 F. 941 (1905) 190
Walker v. Rich, 79 Cal.App. 139, 249 P. 56, 58 69
Weedin v. Chin Bow, 274 U.S. 657, 47 S.Ct. 772 (1927) 89
Western Union Telegraph Co. v. Lenroot, 323 U.S. 490, 502 (1945) 160, 205
Wheeler v. Burgess, 263 Ky. 693, 93 S.W.2d. 351, 354 109
Whitbeck v. Funk, 140 Or. 70, 12 P.2d 1019, 1020 64
Whitfield v. State of Ohio, 297 U.S. 431 (1936) 190
Wildenhus' Case, 120 U.S. 1, 7 Sup.Ct. 385 (1887) 49
Wilson v. Omaha Indian Tribe, 442 U.S. 653, 667 (1979) 90
Wisconsin v. Pelican Insurance Co., 127 U.S. 265 , 292, et seq. 8 S.Ct. 1370 68
Wooley v. Maynard, 430 U.S. 703 (1977) 110
Yaselli v. Goff, C.C.A., 12 F.2d. 396, 403, 56 A.L.R. 1239 69
Yick Wo v. Hopkins, 118 U.S. 356, 369, 6 S.Sup.Ct. 1064, 1071 122
Yick Wo v. Hopkins, 118 U.S. 356, 6 S.Ct. 1064 (1886) 89, 99
Youngstown Sheet &Tube Co. v. Sawyer, 343 U.S. 579, 72 S.Ct. 863, 96 L.Ed. 1153, 47 Ohio.Op. 430, 47 Ohio.Op. 460, 62 Ohio.L.Abs. 417, 62 Ohio.L.Abs. 473, 26 A.L.R.2d. 1378 (1952) 61

Other Authorities

1 Chitty on Pleading, 123 68
1 Hale, P. C. 62 52, 186
106 A.L.R. Fed. 396 206
107 A.L.R. Fed. 21 206
108 A.L.R. Fed. 117 206
109 A.L.R. Fed. 9 206
16 American Jurisprudence 2d, Constitutional Law, §52 (1999) 61
19 Corpus Juris Secundum (C.J.S.), Corporations, §883 (2003) 57, 136
19 Corpus Juris Secundum (C.J.S.), Corporations, §886 (2003) 37
2 Inst. 46-7 136
2A N. Singer, Sutherland on Statutes and Statutory Construction § 47.07, p. 152, and n. 10 (5th ed. 1992) 160, 205
3 Com. 262 [4th Am. Ed.] 322 63
3C Am.Jur.2d. §2732-2752: Noncitizen nationality 113, 114
3C American Jurisprudence 2d, Aliens and Citizens, §2689 (1999) 92
3C American Jurisprudence 2d, Aliens and Citizens, §2732-2752 (1999) 116
4 Bl.Comm. 74, 92 52, 186
4 Dec. Dig. '06, p. 1197, sec. 11, "Citizens" (1906) 190
44 Cong.Rec. 4420 74
6 Webster's Works, 526 52, 186
7 Foreign Affairs Manual (F.A.M.), Section 012(a) 48
7 Foreign Affairs Manual (F.A.M.), Section 1111.3 168
7 Foreign Affairs Manual (F.A.M.), Section 1116.1 97
7 Foreign Affairs Manual (F.A.M.), Section 1116.1-1 97
7 Foreign Affairs Manual (F.A.M.), Section 1116.2-1 98
7 Foreign Affairs Manual (F.A.M.), Section 1130: Acquisition of U.S. Citizenship by Birth Abroad to U.S. Citizen Parents 165
7 Foreign Affairs Manual (F.A.M.), Section 1131.6: Nature of Citizenship Acquired by Birth Abroad to U.S. Citizen Parents 163
7 Foreign Affairs Manual (F.A.M.), Section 1131.6-2: Eligibility for Presidency 164
7 Foreign Affairs Manual (F.A.M.), Section 1131.7: Citizenship Retention Requirements 164
7 Foreign Affairs Manual (F.A.M.), Section 1133.5-13 164
7 Gordon § 93.04[2][b], p. 93-42; id., § 93.04[2][d][viii], p. 93-49 167, 176
86 Corpus Juris Secundum (C.J.S.), Territories (2003) 79
86 Corpus Juris Secundum (C.J.S.), Territories, §1: Definitions, Nature, and Distinctions (2003) 194
97 L.Ed.2d. 903 206
A Treatise on the Law of Domicil, M.W. Jacobs, 1887, Little Brown and Company 191
A Treatise on the Law of Public Offices and Officers, Floyd Russell Mechem, 1890, pp. 3-4, §2 138
About E-Verify, Form #04.107 142, 144, 149
About IRS Form W-8BEN, Form #04.202 58, 134, 145, 149
Abraham Lincoln 192
Affidavit of Citizenship, Domicile, and Tax Status, Form #02.001 46, 58, 71, 106, 108, 123, 124, 144, 183, 189
AMENDED IRS Form W-8BEN 58
American Jurisprudence 2d, Aliens and Citizens, Section 2689 (1999) 93
American Jurisprudence 2d, Constitutional law, §546: Forced and Prohibited Associations (1999) 206
Antonin Scalia, U.S. Supreme Court Justice 178
Appendix A 43
Authorities on Jurisdiction of Federal Courts, Family Guardian Fellowship 98
Black's Law Dictionary 173
Black's Law Dictionary (6th ed. 1990), p. 1025 43, 105, 124
Black's Law Dictionary (8th ed. 2004) 44, 105, 125
Black's Law Dictionary, 4th Ed., p. 311 56
Black's Law Dictionary, Fourth Edition, p. 1235 69
Black's Law Dictionary, Fourth Edition, p. 1693 63
Black's Law Dictionary, Fourth Edition, p. 310 45, 109, 125
Black's Law Dictionary, Fourth Edition, p. 311 58, 109
Black's Law Dictionary, Fourth Edition, pp. 786-787 64
Black's Law Dictionary, Revised Fourth Edition, 1968, p. 1176 36, 105, 201

Black's Law Dictionary, Revised Fourth Edition, 1968, p. 740 36, 106, 201
Black's Law Dictionary, Seventh Edition, p. 668 73
Black's Law Dictionary, Sixth Edition 112
Black's Law Dictionary, Sixth Edition, p. 1025 22, 167
Black's Law Dictionary, Sixth Edition, p. 1407 76
Black's Law Dictionary, Sixth Edition, p. 1425 62
Black's Law Dictionary, Sixth Edition, p. 1473 93
Black's Law Dictionary, Sixth Edition, p. 244 47, 75, 76, 119
Black's Law Dictionary, Sixth Edition, p. 485 44, 66, 110, 125, 162
Black's Law Dictionary, Sixth Edition, p. 517 95
Black's Law Dictionary, Sixth Edition, p. 576 90
Black's Law Dictionary, Sixth Edition, p. 581 30, 204
Black's Law Dictionary, Sixth Edition, p. 647 27, 97
Black's Law Dictionary, Sixth Edition, p. 648 26, 91, 194
Bouvier's Maxims of Law, 1856 63, 68, 120
Citizenship and Sovereignty Course, Form #12.001 25, 183
Citizenship Diagrams, Form #10.010 149
Citizenship Status v. Tax Status, Form #10.011, Section 8 150
Citizenship, Domicile, and Tax Status Options, Form #10.003 106, 120, 161, 183, 189
Comyn's Digest (Title 'Dett,' A, 9) 68
Conduct and Belief: Public Employees' First Amendment Rights to Free Expression and Political Affiliation. 59 U Chi LR 897, Spring, 1992 206
Conflicts In A Nutshell, Second Edition, David D. Siegel, West Publishing, 1994, ISBN 0-314-02952, p. 15 80
Confucius (551 BCE - 479 BCE) Chinese thinker and social philosopher 43, 124
Confucius, 500 B.C. 163
Corporatization and Privatization of the Government, Form #05.024 82
Correcting Erroneous Information Returns, Form #04.001 33
Correcting Erroneous IRS Form 1042's, Form #04.003 59
Correcting Erroneous IRS Form 1098's, Form #04.004 59
Correcting Erroneous IRS Form 1099's, Form #04.005 59
Correcting Erroneous IRS Form W-2's, Form #04.006 59
Department of Homeland Security 153, 164
Department of Justice Criminal Tax Manual 161
Department of Justice Criminal Tax Manual (1994), Section 40.05[7] 159
Department of State 97
Department of State Form DS-11 174, 208
Department of State Website 40
Developing Evidence of Citizenship and Sovereignty Course, Form #12.002 25, 155, 176
Ellesmere, Postnati, 63 52, 186
Executive Documents H. R. No. 10, 1st Sess. 32d Cong. p. 4 52, 186
Family Guardian Forums, Forum 6.1.4: Citizenship Questions, Confusion, and Disinformation 177
Family Guardian Forums, Forum 6.1: Citizenship, domicile, and nationality 183, 191
Federal Civil Trials and Evidence (2005), Rutter Group, pp. 8C-1 to 8C-2 156
Federal Jurisdiction, Form #05.018 42, 121
Federal Jurisdiction, Form #05.018, Section 5 24
Federal Jurisdiction, Form #05.018, Section 6 70
Federal Nonresident Nonstatutory Claim for Return of Funds Unlawfully Paid to the Government-Long, Form #15.001 58
Federal Pleading/Motion/Petition Attachment, Litigation Tool #01.002 58, 71, 106, 145
First Amendment Law, Barron-Dienes, West Publishing, ISBN 0-314-22677-X, pp. 266-267 110
Flawed Tax Arguments to Avoid, Form #08.004, Section 6.1 183
Flawed Tax Arguments to Avoid, Form #08.004, Section 6.7 143
Flawed Tax Arguments to Avoid, Form #08.004, Sections 2 and 6.3 178, 179
Fort Knox 59
Foundations of Freedom, Video 4: Willful Government Deception and Propaganda, Form #12.021 179
Franklin Delano Roosevelt 59
Geographical Definitions and Conventions, Form #11.215 195
Getting a USA Passport as a "non-citizen national", Form #10.012 25, 101, 191

Getting a USA Passport as a "non-citizen national", Form #10.013 25
Government Conspiracy to Destroy the Separation of Powers, Form #05.023 26, 50, 94, 104, 121, 123, 160, 161, 193
Government Instituted Slavery Using Franchises, Form #05.030 58, 61, 139
Great IRS Hoax, Form #11.302, Chapter 6 139
Great IRS Hoax, Form #11.302, Section 4.11.2 82, 130
Great IRS Hoax, Form #11.302, Section 5.1.1 31
Great IRS Hoax, Form #11.302, Section 5.2.13 42
Great IRS Hoax, Form #11.302, Section 6.10.1 33
Great IRS Hoax, Form #11.302, Section 6.5.20 139
Great IRS Hoax, Form #11.302, Sections 4.11 through 4.11.13 191
Guide to Asking Questions, Form #09.017, Section 1 178
Guide to Freedom of Information Act, Social Security Administration 142
Hague Convention Relating to the Settlement of the Conflicts Between the Law of Nationality and the Law of Domicile [Anno Domini 1955], SEDM Exhibit #01.008 106
I-9 Form Amended, Form #06.028 144, 149
Immigration and Naturalization Service (INS) 164
IRS Form 1040 55, 58, 82, 129, 130, 154
IRS Form 1040 plus 2555 82, 130
IRS Form 1040NR 55, 82, 130
IRS Form 1078 134
IRS Form 1099R 154
IRS Form W-4 40, 154
IRS Form W-7 ITIN Application 129
IRS Form W-8 154
IRS Form W-8BEN 134
IRS Form W-8BEN, Block 3 134, 143
IRS Publication 515 108
Legal Basis for the Term "Nonresident alien", Form #05.036 191
Legal Notice of Change in Domicile/Citizenship Records and Divorce from the United States, Form #10.001 .. 26, 144, 163, 164
Legislative History of Money in the United States, Family Guardian Fellowship 61
Lord Chancellor Hatherley 175
Lord Westbury 175
Meaning of the Words "includes" and "including", Form #05.014 94, 105, 121, 162, 179, 180, 189
Member Agreement, Form #01.001 178
Member Agreement, Form #01.001, Section 3 178
Nonresident Alien Position, Form #05.020 135, 191
Nonresident Alien Position, Form #05.020, Sections 6 and 7 120
Nonresident Alien Position, Form #05.020, Sections 6 to 7.4 105
Our Non-Citizen Nationals, Who are They?, California Law Review, Vol. XIII, Sept. 1934, Number 6, pp. 593-635, SEDM Exhibit #01.010 102
Path to Freedom, Form #09.015 25, 166
Petition for Admission to Practice, Family Guardian Fellowship 178
President Howard Taft 24
President Obama Recognizes separate POLITICAL and LEGAL components of citizenship, Exhibit #01.013 44
Presumption: Chief Weapon for Unlawfully Enlarging Federal Jurisdiction, Form #05.017 74, 106, 120
Proof That There is a "Straw Man", Form #05.042 137
Public Employees and the First Amendment Petition Clause: Protecting the Rights of Citizen-Employees Who File Legitimate Grievances and Lawsuits Against Their Government Employers. 90 NW U LR 304, Fall, 1995 206
Reasonable Belief About Income Tax Liability, Form #05.007 121, 123, 143, 192
Requirement for Consent, Form #05.003 40
Resignation of Compelled Social Security Trustee, Form #06.002 26, 38, 142, 144
Restatement, Second, Conflicts, §3 76
Rev. Rul. 70-506 198
Richard MacDonald 176
Rules of Presumption and Statutory Interpretation, Litigation Tool #01.006 161, 179
Rules of Statutory Construction 180

SECNAVINST 5510.30A, Appendix I, Department of the Navy 87
Section 1983 Litigation, Litigation Tool #08.008 188
SEDM Exhibit #01.004 23
SEDM Forms Page 145
Senate Document #43, Senate Resolution No. 62, p. 9, paragraph 2, 1933 74
Senator Sam Ervin, during Watergate hearing 163
Separation of Powers Doctrine 27, 176, 193
Social Security Admin. FOIA for CSP Code Values, Exhibit #01.011 107
Social Security Administration (SSA) 107
Social Security Program Operations Manual System (POMS) 107
Social Security Program Operations Manual System (POMS) Online 151
Social Security Program Operations Manual System (POMS), Section GN 03313.095, dated 4/27/2009, Exhibit #01.012 150
Social Security Program Operations Manual System (POMS), Section GN 00303.001 87
Social Security Program Operations Manual System (POMS), Section GN 03313.095 150
Social Security Program Operations Manual System (POMS), Section RM 002: The Social Security Number, Policy and General Procedures 151
Social Security Program Operations Manual System (POMS), Section RM 00202.235 151
Social Security Program Operations Manual System (POMS), Section RM 00208.001D.4 151
Social Security Program Operations Manual System (POMS), Section RM 00299.005 Form SSA-L669 Request for Evidence in Support of an SSN Application — U.S.-Born Applicant 142, 151
Social Security Program Operations Manual System (POMS), Section RS 02001.003 168
Social Security Program Operations Manual System (POMS), Section RS 02001.003 "U.S. Nationals" 168
Social Security Program Operations Manual System (POMS), Section RS 02640.005 D 168
Socialism: The New American Civil Religion, Form #05.016 73
Sovereignty Forms and Instructions Manual, Form #10.005 25
Sovereignty Forms and Instructions Online, Form #10.004 25
Sovereignty Forms and Instructions Online, Form #10.004, Cites by Topic 132
Sovereignty Forms and Instructions Online, Form #10.004: Instructions, Step 3.13 191
SSA Form SS-1042-S 152, 154
SSA Form SS-1099R 152
SSA Form SS-5 40, 58, 107, 108, 142, 151, 152, 153, 154
SSA Form SS-5, Block 5 142, 153
Story on Conflict of Laws §23 78
Substitute IRS W-9 154
T. Aleinikoff, D. Martin, & H. Motomura, Immigration: Process and Policy 974-975, n. 2 (3d ed. 1995) 167, 176
T.D. 8813, Federal Register: February 2, 1999 (Volume 64, Number 21), Page 4967-4975 30
Tax Deposition Questions, Form #03.016, Questions 77 through 82 102
Tax Deposition Questions, Form #03.016, Section 14 27
Tax Deposition Questions, Form #03.016, Section 14, Questions 77 through 82 168
Tax Deposition Questions, Form #03.016, Section 14: Citizenship 43, 191
Tax Form Attachment, Form #04.201 106, 124, 145
The "Trade or Business" Scam, Form #05.001 137
The Law of Nations, Book I, Section 215, Vattel 88
The Law of Nations, Vattel 86, 88, 89
Thomas Jefferson to A. Coray, 1823. ME 15:486 98
Thomas Jefferson to Abbe Arnoux, 1789. ME 7:423, Papers 15:283 97, 98
Thomas Jefferson to Charles Hammond, 1821. ME 15:331 104, 122
Thomas Jefferson to Charles Hammond, 1821. ME 15:332 104, 122
Thomas Jefferson to Gideon Granger, 1800. ME 10:168 104, 122
Thomas Jefferson to James Pleasants, 1821. FE 10:198 98
Thomas Jefferson to John Wayles Eppes, 1807. FE 9:68 98
Thomas Jefferson to Spencer Roane, 1821. ME 15:326 104
Thomas Jefferson to Thomas Ritchie, 1820. ME 15:297 104, 122
Thomas Jefferson: Autobiography, 1821. ME 1:121 97, 104, 122
Thomas Jefferson: Autobiography, 1821. ME 1:122 98
Thomas Jefferson: Notes on Virginia Q.XVIII, 1782. ME 2:227 103

Thomas Jefferson: Rights of British America, 1774. ME 1:209, Papers 1:134 103
Treasury Form TD F 90-22.1 25
Treatise on American Citizenship, John Wise, 1906 191
U.S. Citizenship and Immigration Services (USCIS) 164
U.S. Supreme Court 65, 74, 91, 101, 108, 176, 181
USA Passport Application Attachment, Form #06.007 26, 145, 189
USA Passport Application, Department of State Form DS-11 174
USCIS Form I-751: Petition to Remove Conditions on Residence 165
USCIS Form I-9 143, 144, 152, 153, 154
Voter Registration Attachment, Form #06.003 145, 189
W.J.V. Windeyer, Lectures on Legal History 56-57 (2d ed. 1949) 73
Webster's Ninth New Collegiate Dictionary, 1983, ISBN 0-87779-510-X, p. 1361 74
Webster's Ninth New Collegiate Dictionary, 1983, ISBN 0-87779-510-X, p. 243 118, 119
What Happened to Justice?, Form #06.012 26, 57
When Freedoms Conflict: Party Discipline and the First Amendment. 11 JL &Pol 751, Fall, 1995 206
Who are "Taxpayers" and Who Needs a "Taxpayer Identification Number"?, Form #05.013 137, 144
Why Domicile and Becoming a "Taxpayer" Require Your Consent, Family Guardian Fellowship 50, 165
Why Domicile and Becoming a "Taxpayer" Require Your Consent, Form #05.002 43, 46, 50, 67, 121, 124, 144, 175
Why Domicile and Becoming a "Taxpayer" Require Your Consent, Form #05.002, Section 11 29
Why It is Illegal for Me to Request or Use a "Taxpayer Identification Number", Form #04.205 54, 108, 144, 149
Why Statutory Civil Law is Law for Government and Not Private Persons, Form #05.037 71, 187
Why the Fourteenth Amendment is NOT a Threat to Your Freedom, Form #08.015 179, 183, 191
Why You are a "national", "state national", and Constitutional but not Statutory Citizen, Form #05.006, Sections 2, 3, 4, 17.2 179
Why You are a "national", "state national", and Constitutional but not Statutory Citizen, Form #05.006 . 121, 123, 135, 161, 177, 183
Why You are a "national", "state national", and Constitutional but not Statutory Citizen, Form #05.006, Sections 2 and 3 191
Why you are a "national", "state national", and Constitutional but not Statutory Citizen, Form #05.006, Sections 2, 3, 4, 19 178
Why You Aren't Eligible for Social Security, Form #06.001 149
Why Your Government is Either a Thief or You are a "Public Officer" for Income Tax Purposes, Form #05.008 38, 137, 150
You're Not a STATUTORY "citizen" Under the Internal Revenue Code, Family Guardian Fellowship 191
You're Not a STATUTORY "resident" Under the Internal Revenue Code, Family Guardian Fellowship 191
Your Exclusive Right to Declare and Establish Your Civil Status, Form #13.008 41
Your Exclusive Right to Declare or Establish Your Civil Status, Form #13.008 47

Scriptures

1 Cor. 7:23 158
1 Peter 2:11 97
1 Sam 8:4-20 74
1 Sam. 12 157
1 Sam. 8:4-8 157
1 Thess. 5:21-22 192
1 Tim. 6: 9-10 73
Deut. 10:14 157
Deut. 10:15 74
Ephesians 2:19 96
Exodus 20:12-17 55
Exodus 20:3 192
Exodus 20:3-6 32
Exodus 23:32-33 192
Ezekial 20:10-20 192
Gal. 5:14 55
Gen. 1:1 157

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Gen. 3:19 100
Hebrews 11:13 96, 157
Isaiah 33:22 157
Isaiah 40:15 210
Isaiah 40:17 210
Isaiah 40:23 210
Isaiah 41:29 210
Isaiah 45:12 157
James 3:16-17 62
James 4:4 192
Matt. 13:1-9 166
Matt. 22:15:22 99
Matt. 4:10 210
Matt. 5:33-37 156, 158
Numbers 15:30 157
Pet. 2:1 157
Phil. 3:20 157
Philippians 1:27 192
Philippians 3:20 96
Psalm 82 75
Psalm 89:11-13 157
Psalm 9:19-20 210
Psalm 94:20-23 74
Rom. 7:4-6 192
Romans 12:2 157
Romans 6:23 100
Ten Commandments 32

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1. INTRODUCTION

1.1 Purpose

The purpose of this document is to establish with evidence the following facts:

1. That deception is often times caused by abuse, misuse, and purposeful misapplication of "words of art" and failing to distinguish the context in which such words are used on government forms and in legal proceedings.
2. That there are two different jurisdictions and contexts in which the word "citizen" can be applied: *statutory* v. *constitutional*. By "statutory", we mean as used in federal statutes and by "constitutional" we mean as used in the common law, the U.S. Supreme court, or the Constitution.
 - 2.1. "Constitutional citizen" is a POLITICAL status tied to:
 - 2.1.1. "nationality"
 - 2.1.2. The U.S. Constitution.
 - 2.1.3. POLITICAL jurisdiction and a specific political status.
 - 2.1.4. A "nation" under the law of nations.
 - 2.1.5. Membership in a "nation" under the law of nations and nothing more.
 - 2.2. "Statutory citizen" is a LEGAL status tied to:
 - 2.2.1. "domicile" somewhere WITHIN the nation.
 - 2.2.2. Statutory civil law. That law is described as a "social compact" and private law that only attaches to those with a civil domicile within a specific venue or jurisdiction.
 - 2.2.3. Civil LEGAL jurisdiction and legal status. The status acquired is under statutory civil law and is called "citizen", "inhabitant", or "resident".
 - 2.2.4. A SPECIFIC municipal government among MANY WITHIN a single nation.
 - 2.3. The differences between these two statuses are explained in the following definition:

> *"**Nationality**. That quality or character which arises from the fact of a person's belonging to a nation or state. **Nationality determines the political status of the individual, especially with reference to allegiance; while domicile determines his civil status.** Nationality arises either by birth or by naturalization. See also Naturalization."*
> *[Black's Law Dictionary, Sixth Edition, p. 1025]*

3. That corrupt governments and public servants intent on breaking down the separation of powers between states of the Union and the federal government purposefully try to exploit legal ignorance of the average American to deceive *constitutional* citizens through willful abuse of "words of art" into falsely declaring themselves as *statutory* citizens on government forms and in legal pleadings. This causes a surrender of *all* constitutional rights and operates to their extreme detriment by creating lifetime indentured financial servitude and surety in relation to the government. This occurs because a statutory citizen maintains a domicile on federal territory, and the Bill of Rights does not apply on federal territory.

> *"Indeed, the practical interpretation put by Congress upon the Constitution has been long continued and uniform to the effect [182 U.S. 244, 279] that **the Constitution is applicable to territories acquired by purchase or conquest, only when and so far as Congress shall so direct. Notwithstanding its duty to 'guarantee to every state in this Union a republican form of government' (art. 4, 4), by which we understand, according to the definition of Webster, 'a government in which the supreme power resides in the whole body of the people, and is exercised by representatives elected by them,' Congress did not hesitate, in the original organization of the territories of Louisiana, Florida, the Northwest Territory, and its subdivisions of Ohio, Indiana, Michigan, Illinois, and Wisconsin and still more recently in the case of Alaska, to establish a form of government bearing a much greater analogy to a British Crown colony than a republican state of America**, and to vest the legislative power either in a governor and council, or a governor and judges, to be appointed by the President. It was not until they had attained a certain population that power was given them to organize a legislature by vote of the people. In all these cases, as well as in territories subsequently organized west of the Mississippi, Congress thought it necessary either to extend to Constitution and laws of the United States over them, or to declare that the inhabitants should be entitled to enjoy the right of trial by jury, of bail, and of the privilege of the writ of habeas corpus, as well as other privileges of the bill of rights."*
> *[Downes v. Bidwell, 182 U.S. 244 (1901)]*

4. That once you falsely or improperly declare your status as that of *statutory* citizen, you are also declaring your domicile to be within the District of Columbia pursuant to 26 U.S.C. §7701(a)(39) and 26 U.S.C. §7408(d).

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5. That 8 U.S.C. §1401 defines a ***statutory*** "national and citizen of the United States", where "United States" means the federal zone and excludes states of the Union. Even if they mention the 50 states in the definition of "United States", federal civil law still only attaches to federal territory and those domiciled on federal territory wherever physically situated. Everything else is a "foreign state" and a "foreign sovereign".
6. That the Fourteenth Amendment Section 1 defines a ***constitutional*** "citizen of the United States", where "United States" means states of the Union and excludes the federal zone.
7. That the term "citizen of the United States" as used in the Fourteenth Amendment Section 1 of the constitution is NOT equivalent and is mutually exclusive to the ***statutory*** "national and citizen of the United States" defined in 8 U.S.C. §1401. Another way of restating this is that you cannot simultaneously be a ***constitutional*** "citizen of the United States" (Fourteenth Amendment) and a ***statutory*** "citizen of the United States" (8 U.S.C. §1401).

> *"The 1st section of the 14th article [Fourteenth Amendment], to which our attention is more specifically invited, opens with a definition of citizenship—not only citizenship of the United States[***], but citizenship of the states.* ***No such definition was previously found in the Constitution, nor had any attempt been made to define it by act of Congress.*** *It had been the occasion of much discussion in the courts, by the executive departments and in the public journals.* ***It had been said by eminent judges that no man was a citizen of the United States[***] except as he was a citizen of one of the states composing the Union. Those therefore, who had been born and resided always in the District of Columbia or in the territories, though within the United States[*], were not citizens.*** *Whether this proposition was sound or not had never been judicially decided."*
> *[Slaughter-House Cases, 83 U.S. (16 Wall.) 36, 21 L.Ed. 394 (1873)]*

8. That the term "U.S. citizen" as used on federal and state forms means a ***statutory*** "national and citizen of the United States" as defined in 8 U.S.C. §1401 and EXCLUDES constitutional citizens.
9. That a human being born within and domiciled within a state of the Union and not within a federal territory or possession is:
 9.1. A Fourteenth Amendment, Section 1 ***constitutional*** "citizen of the United States".

> *"****It is impossible*** *to construe the words 'subject to the jurisdiction thereof,' in the opening sentence, as less comprehensive than the words 'within its jurisdiction,' in the concluding sentence of the same section; or* ***to hold that persons 'within the jurisdiction' of one of the states of the Union are not 'subject to the jurisdiction of the United States[***]****.'"*
> *[U.S. v. Wong Kim Ark, 169 U.S. 649, 18 S.Ct. 456; 42 L.Ed. 890 (1898), emphasis added]*

 9.2. Called either an "American citizen" or a "citizen of the United States **of America**" in the early enactments of Congress. See 1 Stat. 477 and the following:

SEDM Exhibit #01.004 http://sedm.org/Exhibits/ExhibitIndex.htm

 9.3. A "national" but not a "citizen" as defined in 8 U.S.C. §1101(a)(21) in respect to the federal government.
 9.4. Not a "national but not citizen of the United States** at birth" or "national of the United States**" as defined in 8 U.S.C. §1408 or 8 U.S.C. §1101(a)(22)(B).
 9.5. Not a ***statutory*** "national and citizen of the United States**" pursuant to 8 U.S.C. §1401.
10. That a private human being born within and domiciled within a constitutional state of the Union is:
 10.1. A statutory "nonresident alien" as defined in 26 U.S.C. §7701(b)(1)(B). They have this status because "United States" within Title 26 of the U.S. Code has a different meaning than that found in Title 8 of the U.S. Code.
 10.2. A "foreign sovereign" and part of a legislatively "foreign state" with respect to the United States Government under the Foreign Sovereign Immunities Act (F.S.I.A.), 28 U.S.C. Chapter 97.
 10.3. An instrumentality of a legislatively foreign state as a jurist or voter in that foreign state. All jurists and voters in constitutional but not statutory states of the Union are public officers. See, for instance, 18 U.S.C. §201(a), which admits that jurists are public officers.
 10.4. NOT a statutory "individual", which in fact means a public office in the U.S. government.
11. That the federal government uses the exceptions to the Foreign Sovereign Immunities Act (F.S.I.A.) found in 28 U.S.C. §1605(a)(2) to turn "nonresident aliens" into "resident aliens" as defined in 26 U.S.C. §7701(b)(1)(A) . It does this:
 11.1. By offering commercial franchises and government "benefits" to foreign sovereigns outside its jurisdiction and thereby making them "residents".
 11.2. In VIOLATION of the organic law, which forbids alienating rights protected by the Constitution.
12. That government has a financial interest to deceive us about our true citizenship status in order to:
 12.1. Encourage and expand the flow of unlawfully collected income tax revenues (commerce).
 12.2. Expand its jurisdiction and control over the populace.
 12.3. Centralize all control over everyone in the country to what Mark Twain calls "the District of Criminals".

13. That the purpose of deliberate government deceptions about citizenship is to destroy the separation of powers between the states and the federal government that is the foundation of the Constitution of the United States of America and to destroy the protections of the Foreign Sovereign Immunities Act (F.S.I.A.). It does this by:
 13.1. Using "social insurance" as a form of commerce that makes Americans into "resident aliens" of the District of Columbia, which is what "United States" is defined as in 26 U.S.C. §7701(a)(9) and (a)(10) .
 13.2. Misleading Americans into falsely declaring their status on government forms as that of a "U.S. citizen", and thereby losing their status as a "foreign state" under the provisions of 28 U.S.C. §1603(b)(3).
14. That if you are a concerned American, you cannot let this fraud continue and must act to remedy this situation immediately by taking some of the actions indicated in section 1.3 later.

1.2 Why the content of this pamphlet is important

What you don't know about citizenship can definitely hurt you. There is nothing more important than knowing who you are in relation to the government and being able to defend and explain it in a legal setting. The content of this pamphlet is therefore VERY important. Some reasons:

1. Those domiciled on federal territory and who are therefore statutory "U.S. citizens" pursuant to 8 U.S.C. §1401 have no constitutional rights. Misunderstanding your citizenship can result in unknowingly surrendering all protections for your Constitutional rights.

> *"Indeed, the practical interpretation put by Congress upon the Constitution has been long continued and uniform to the effect [182 U.S. 244, 279] that **the Constitution is applicable to territories acquired by purchase or conquest, only when and so far as Congress shall so direct. Notwithstanding its duty to 'guarantee to every state in this Union a republican form of government' (art. 4, 4), by which we understand, according to the definition of Webster, 'a government in which the supreme power resides in the whole body of the people, and is exercised by representatives elected by them,' Congress did not hesitate, in the original organization of the territories of Louisiana, Florida, the Northwest Territory, and its subdivisions of Ohio, Indiana, Michigan, Illinois, and Wisconsin and still more recently in the case of Alaska, to establish a form of government bearing a much greater analogy to a British Crown colony than a republican state of America**, and to vest the legislative power either in a governor and council, or a governor and judges, to be appointed by the President. It was not until they had attained a certain population that power was given them to organize a legislature by vote of the people. In all these cases, as well as in territories subsequently organized west of the Mississippi, Congress thought it necessary either to extend to Constitution and laws of the United States over them, or to declare that the inhabitants should be entitled to enjoy the right of trial by jury, of bail, and of the privilege of the writ of habeas corpus, as well as other privileges of the bill of rights."*
> *[Downes v. Bidwell, 182 U.S. 244 (1901)]*

2. Those domiciled on federal territory and who are therefore statutory "U.S. citizens" pursuant to 8 U.S.C. §1401 are presumed to be guilty and "taxpayers" until they prove themselves innocent and therefore a "nontaxpayer":

> *"Unless the defendant can prove he is **not** a citizen of the United States, the IRS has the right to inquire and determine a tax liability."*
> *[U.S. v. Slater, 545 Fed.Supp. 179,182 (1982).]*

3. Those who are statutory "U.S. citizens" pursuant to 8 U.S.C. §1401 are required to pay income tax on their WORLDWIDE earnings, not just those from sources within the statutory "United States" as required by 26 U.S.C. §911 and Cook v. Tait, 265 U.S. 47 (1924) . The United States is currently the ONLY country that taxes its "Citizens" on earnings ANYWHERE. Every other country in the world only taxes its citizens for earnings WITHIN their country. The statutory "U.S. citizen" franchise status therefore functions effectively as an "electronic leash" for all those who claim this status, and makes them a public officer of the U.S. government WHEREVER THEY ARE and WHATEVER other country they claim to be a citizen of. If you decide to try to expatriate and pursue citizenship in any other country, other countries have been known to require you BEFORE you leave to pay all IRS assessments if you claim to be a "U.S. citizen" before they will naturalize you. And if you ask them if they do this for other countries, they will say no. They don't care about tax liability of ANY OTHER COUNTRY. How's THAT for slavery? You are OWNED if you are a statutory "U.S. citizen". And WHO brought us this wonderful legal innovation? None other than the man most responsible for the introduction and passage of the Sixteenth Amendment, President Howard Taft himself. He also was the ONLY President to serve as a tax collector before becoming President, and the only President who also served as the Chief Justice of the U.S. Supreme Court. Quite a scam, huh? This scam is thoroughly analyzed in:

Federal Jurisdiction, Form #05.018, Section 5 http://sedm.org/Forms/FormIndex.htm

4. Those who are constitutional and not statutory citizens are not eligible for any kind of license, including a driver's license. All licenses can be offered ONLY to those domiciled on federal territory not protected by the Constitution. Below is an example and there are LOTS more where this one came from:

> *State of Virginia*
> *Title 46.2 - MOTOR VEHICLES.*
> *Chapter 3 - Licensure of Drivers*
>
> *§46.2-328.1. Licenses, permits and special identification cards to be issued only to United States citizens, legal permanent resident aliens, or holders of valid unexpired nonimmigrant visas; exceptions; renewal, duplication, or reissuance.*
>
> *A. Notwithstanding any other provision of this title, except as provided in subsection G of § 46.2-345, **the Department shall not issue an original license, permit, or special identification card to any applicant who has not presented to the Department, with the application, valid documentary evidence that the applicant is either (i) a citizen of the United States, (ii) a legal permanent resident of the United States, or (iii) a conditional resident alien of the United States.***

5. The following authorities require all those who are statutory "U.S. citizens" (8 U.S.C. §1401), statutory "U.S. residents" (26 U.S.C. §7701(b)(1)(A)), and "U.S. persons" (26 U.S.C. §7701(a)(30)), all of whom have in common a domicile on federal territory, to incriminate themselves on government forms in violation of the Fifth Amendment by filling out disclosures documenting all their foreign bank accounts. If you don't disclose your foreign bank account on the Treasury Form TD F 90-22.1, then you can be penalized up to $500,000 and spend time in prison! On the other hand, if you can prove that you are not a statutory "U.S. person", then you are not subject to this requirement:
 5.1. 31 U.S.C. §5314: Records and reports on foreign financial agency transactions
 http://www.law.cornell.edu/uscode/html/uscode31/usc_sec_31_00005314----000-.html
 5.2. Treasury Form TD F 90-22.1: Report of Foreign Bank and Financial Accounts
 http://www.irs.gov/pub/irs-pdf/f90221.pdf

1.3 Applying what you learn here to your circumstances

If, after reading this document, you decide that you want to do something positive with the information you read here to improve your life and restore your sovereignty, the following options are available:

1. If you want to learn more about citizenship and sovereignty, see:
 Citizenship and Sovereignty Course, Form #12.001
 http://sedm.org/Forms/FormIndex.htm
2. If you want to take an activist role in fighting this fraud, see:
 http://famguardian.org/Subjects/Activism/Activism.htm
3. If you want to restore your sovereignty, you can use the following procedures:
 3.1. *Path to Freedom*, Form #09.015-complete simplified checklist and curricula for restoring sovereignty and freedom
 http://sedm.org/Forms/FormIndex.htm
 3.2. *Sovereignty Forms and Instructions Manual*, Form #10.005:
 http://sedm.org/Forms/FormIndex.htm
 3.3. *Sovereignty Forms and Instructions Online*, Form #10.004:
 http://sedm.org/Forms/FormIndex.htm
4. If you want to develop court-admissible evidence documenting your true citizenship status as a "state national" and not a statutory "U.S. citizen", see the following excellent free training course:
 Developing Evidence of Citizenship and Sovereignty Course, Form #12.002
 http://sedm.org/Forms/FormIndex.htm
5. If you want to obtain a USA passport as a "national" rather than a statutory "U.S. citizen", see the following resources:
 5.1. *Getting a USA Passport as a "non-citizen national"*, Form #10.012-instructions on how to apply for a passport as a human being and not federal statutory "person" domiciled outside of federal territory and not engaged in any government franchise
 FORMS PAGE: http://sedm.org/Forms/FormIndex.htm
 5.2. *Getting a USA Passport as a "non-citizen national"*, Form #10.013-instructions on how to apply for a passport as a human being and not federal statutory "person" domiciled outside of federal territory and not engaged in any government franchise. PDF version of the above document.

FORMS PAGE: http://sedm.org/Forms/FormIndex.htm

5.3. *USA Passport Application Attachment*, Form #06.007
http://sedm.org/Forms/FormIndex.htm

6. If you want to contact the government to correct all their records describing your citizenship and tax status in order to remove all the false information about your status that you have submitted to them in the past, you may use the following excellent form for this purpose:

Legal Notice of Change in Domicile/Citizenship Records and Divorce from the United States, Form #10.001 http://sedm.org/Forms/FormIndex.htm

7. If want to discontinue participation in all federal benefit programs and thereby remove the commercial nexus that makes you into a "resident alien" pursuant to the Foreign Sovereign Immunities Act (F.S.I.A.), 28 U.S.C. §1605(a)(2), you can use the following form:

Resignation of Compelled Social Security Trustee, Form #06.002 http://sedm.org/Forms/FormIndex.htm

8. If you want to learn about other ways that the federal government has destroyed the separation of powers that is the heart of the United States Constitution, see:

Government Conspiracy to Destroy the Separation of Powers, Form #05.023 http://sedm.org/Forms/FormIndex.htm

9. If you want to make sure that the federal courts respect all the implications of this pamphlet and respect and protect the separation of powers in all the government's dealings with everyone, see:

What Happened to Justice?, Form #06.012 http://sedm.org/Forms/FormIndex.htm

1.4 Definitions of key citizenship terms and contexts

Both the words "alien" and "national", in everyday usage, convey a political status relative to some specific nation. Those who are nationals of the nation are members of the nation and those who are aliens of the nation are not members of the nation. For any one specific nation, one is either a national or an alien of the nation. Therefore, to make any sense, the words alien and national must be used in a context which identifies the subject nation that the person is either national or alien of.

Within the COUNTRY "United States" there are TWO "nations":

1. States of the Union united under the Constitution and called "United States of America".
 1.1. People within this geography are state citizens and are also called "citizens of the United States" in the Constitution.
 1.2. These same people within ordinary acts of Congress are "aliens" under 8 U.S.C. §1101(a)(3).
2. Federal territories and possessions subject to the exclusive jurisdiction of Congress. People in this geography are "nationals of the United States**" as described in ordinary acts of Congress and 8 U.S.C. §1101(a)(22).

The above distinctions have been recognized by the U.S. Supreme Court as follows:

> *"It is clear that Congress, as a legislative body, exercise two species of legislative power: the one, limited as to its objects, but extending all over the Union: the other, an absolute, exclusive legislative power over the District of Columbia. The preliminary inquiry in the case now before the Court, is, by virtue of which of these authorities was the law in question passed?"*
> *[Cohens v. Virginia, 19 U.S. 264, 6 Wheat. 265, 5 L.Ed. 257 (1821)]*

> ***"By that law the several States and Governments spread over our globe, are considered as forming a society, not a NATION.*** *It has only been by a very few comprehensive minds, such as those of Elizabeth and the Fourth Henry, that this last great idea has been even contemplated. 3rdly. and chiefly, I shall examine the important question before us, by the Constitution of the United States, and the legitimate result of that valuable instrument. "*
> *[Chisholm v. Georgia, 2 Dall. (U.S.) 419, 1 L.Ed. 440 (1793)]*

The legal dictionary also recognizes these distinctions:

> *Foreign States: "Nations outside of the United States…Term may also refer to another state; i.e. a sister state. The term 'foreign nations', …should be construed to mean all nations and states other than that in which the action is brought; and hence, one state of the Union is foreign to another, in that sense."*
> *[Black's Law Dictionary, Sixth Edition, p. 648]*

Foreign Laws: "The laws of a foreign country or sister state."
[Black's Law Dictionary, Sixth Edition, p. 647]

Dual citizenship. *Citizenship in two different* ***countries****. Status of citizens of United States who reside within a state; i.e., person who are born or naturalized in the U.S. are citizens of the U.S. and the state wherein they reside.*
[Black's Law Dictionary, Sixth Edition, p. 498]

1.4.1 Context for the words "alien" and "national"

1. "United States" in its statutory geographical sense, for the purposes of citizenship, means federal territories and possessions and no part of any state of the Union. This is because 8 U.S.C. §§1101(a)(36) and (a)(38), and 8 C.F.R. §215.1(f) includes only federal territory and does not include any states of the Union. See the following for proof:
 Tax Deposition Questions, Form #03.016, Section 14
 http://famguardian.org/TaxFreedom/Forms/Discovery/Deposition/Deposition.htm
2. "Constitutional alien". This term, as used throughout our website always means an alien of the nation U.S.A. identified within the USA Constitution. The subject nation of U.S.A. is implied by the word Constitutional. Also called:
 2.1. U.S.A. alien.
 2.2. United States of America alien.
3. "Statutory alien". This alien is defined in 8 U.S.C. §1101(a)(3) and the name of the subject nation is specified in this section of code as the "United States**", meaning federal territory. Therefore, to more accurately/precisely identify this class of people, just refer to them as: "alien pursuant to 8 U.S.C. §1101(a)(3)". Always enclose in double quotes only the word "alien" for this class of people.
4. "alien". Defined in 8 U.S.C. §1101(a)(3) as those people who are not "nationals of the United States**" pursuant to 8 U.S.C. §1101(a)(22). These are people not born or naturalized in a federal territory or possession.

8 U.S.C. §1101(a)(3)

*The term "alien" means any person not a citizen or national of the United States[**].*

5. "national". Defined in 8 U.S.C. §1101(a)(21). This section of code provides a generic definition for national that does not specify a subject nation and may be used to include people born in a foreign counties. Therefore, for clarity when describing yourself as a national, always include the name of the subject nation in your description. Always enclose in double quotes only the word "national". Using this convention, most Americans would describe themselves as a "U.S.A. national" pursuant to 8 U.S.C. §1101(a)(21).
6. "national of the United States". Defined in 8 U.S.C. §1101(a)(22). This section of code defines a specific "national" and includes the name of the subject nation. Just refer to these people as nationals of the United States pursuant to 8 U.S.C. §1101(a)(22). So that your readers will understand who this class of people is, at the start of the book, you should state that nationals of the United States pursuant to 8 U.S.C. §1101(a)(22),are those people born within the U.S. Territories and Possessions (born within the federal zone). The "United States" as used in the phrase "national of the United States" includes only federal territory and possessions because 8 U.S.C. §1101(a)(36) and (a)(38), and 8 C.F.R. §215.1(f) include ONLY federal territory and does not include any states of the Union. This distinction is a product of the Separation of Powers Doctrine that is the heart of the United States Constitution.

1.4.2 "Alien" versus "alien individual"

1. The terms "alien" as defined in 8 U.S.C. §1101(a)(3) and "alien individual" as defined in 26 C.F.R. §1.1441-1(c)(3)(i), look very similar but they are NOT synonymous.
2. "Aliens" as used in 8 U.S.C. §1101(a)(3) are those people who are not "nationals of the United States**" pursuant to 8 U.S.C. §1101(a)(22).
3. "alien individuals" are statutory "individuals" (26 C.F.R. §1.1441-1(c)(3)) who are also statutory "aliens" pursuant to 8 U.S.C. §1101(a)(3) .

26 C.F.R. §1.1441-1 (c)(3)(i)

The term alien individual means an individual who is not a citizen or a national of the United States. See Sec. 1.1-1(c).

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4. All statutory "individuals" within the meaning or the Internal Revenue Code are public officers, employees, agencies, and instrumentalities operating in a representative capacity within the United States government under Federal Rule of Civil Procedure 17(b) .
5. An "alien individual" pursuant to 26 C.F.R. §1.1441-1(c)(3)(i) is a public officer who is also an "alien" pursuant to 8 U.S.C. §1101(a)(3). This class "alien individual" is a subset of the class of "aliens".
6. All "alien individuals" are "aliens" but not all "aliens" are "alien individuals".
7. Those taking the Nonresident Alien Position documented herein are:
 7.1. STATUTORY aliens but not CONSTITUTIONAL aliens. By "COSNTITUTIONAL alien" we mean anyone born or naturalized outside of a constitutional state of the Union.
 7.2. NOT "alien individuals" since they have resigned from their compelled Social Security Trustee position.

Therefore, if you describe yourself as an "alien" pursuant to 8 U.S.C. §1101(a)(3), it is important that you also emphasis that you are NOT an "individual" or "alien individual" pursuant to 26 C.F.R. §1.1441-1(c)(3)(i).

1.4.3 "resident"

The Treasury Regulations define the meaning of "resident" and "residence" as follows:

> *Title 26: Internal Revenue*
> *PART 1—INCOME TAXES*
> *nonresident alien individuals*
> *§ 1.871-2 Determining residence of alien individuals.*
>
> *(B) Residence defined.*
>
> ***An alien actually present in the United States[**] who is not a mere transient or sojourner is a resident of the United States for purposes of the income tax**. Whether he is a transient is determined by his intentions with regard to the length and nature of his stay. A mere floating intention, indefinite as to time, to return to another country is not sufficient to constitute him a transient. If he lives in the United States and has no definite intention as to his stay, he is a resident. One who comes to the United States for a definite purpose which in its nature may be promptly accomplished is a transient but, if his purpose is of such a nature that an extended stay may be necessary for its accomplishment, and to that end the alien makes his home temporarily in the United States, he becomes a resident, though it may be his intention at all times to return to his domicile abroad when the purpose for which he came has been consummated or abandoned. An alien whose stay in the United States is limited to a definite period by the immigration laws is not a resident of the United States within the meaning of this section, in the absence of exceptional circumstances.*

One therefore may only be a "resident" and file resident tax forms such as IRS Form 1040 if they are "present in the United States", and by "present" can mean EITHER:

1. PHYSICALLY present: meaning within the geographical "United States" as defined by STATUTE and as NOT commonly understood. This would be the United States**, which we also call the federal zone. Furthermore:
 1.1. Only physical "persons" can physically be ANYWHERE.
 1.2. Artificial entities, legal fictions, or other "jurisdic persons" such as corporations and public offices are NOT physical things, and therefore cannot be physically present ANYWHERE.
2. LEGALLY present: meaning that:
 2.1. You have CONSENSUALLY contracted with the government as an otherwise NONRESIDENT party to acquire an office within the government as a public officer and a legal fiction. This can ONLY lawfully occur by availing oneself of 26 U.S.C. §6013(g) and (h) , which allows NONRESIDENTS to "elect" to be treated as RESIDENT ALIENS, even though not physically present in the "United States", IF and ONLY IF they are married to a STATUTORY but not CONSTITUTIONAL "U.S. citizen" per 8 U.S.C. §1401, 26 U.S.C. §3121(e), and 26 C.F.R. §1.1-1(c). If you are married to a CONSTITUTIONAL citizen who is NOT a STATUTORY citizen, this option is NOT available. Consequently, most of the IRS Form 1040 returns the IRS receives are FRAUDULENT in this regard and a criminal offense under 26 U.S.C. §§7206 and 7207.
 2.2. The OFFICE is legally present within the "United States" as a legal fiction and a corporation. It is NOT physically present. Anyone representing said office is an extension of the "United States" as a legal person.

For all purposes other than those above, a nonresident cannot lawfully acquire any of the following "statuses" under the civil provisions of the Internal Revenue Code, Subtitles A through C because: 1. Domiciled OUTSIDE of the forum in a legislatively foreign state such as either a state of the Union or a foreign country; AND 2. Protected by the Foreign Sovereign Immunities Act (F.S.I.A.), 28 U.S.C. Part 4, Chapter 97.

1. "person".
2. "individual".
3. "taxpayer".
4. "resident".
5. "citizen".

For more details on the relationship between STATUTORY civil statuses such as those above and one's civil domicile, see:

Why Domicile and Becoming a "Taxpayer" Require Your Consent, Form #05.002, Section 11 http://sedm.org/Forms/FormIndex.htm

1.4.4 Physically present

As far as being PHYSICALLY present, the "United States" is geographically defined as:

> *TITLE 26 > Subtitle F > CHAPTER 79 > Sec. 7701. [Internal Revenue Code]*
> *Sec. 7701. - Definitions*
>
> *(a) When used in this title, where not otherwise distinctly expressed or manifestly incompatible with the intent thereof—*
>
> *(9) United States*
>
> *The term "United States" when used in a geographical sense includes only* ***the States*** *and the District of Columbia.*
>
> *(10) State*
>
> *The term "State" shall be construed to include the District of Columbia, where such construction is necessary to carry out provisions of this title.*
>
> _____
>
> *TITLE 4 - FLAG AND SEAL, SEAT OF GOVERNMENT, AND THE STATES*
> *CHAPTER 4 -* ***THE STATES***
> *Sec. 110. Same; definitions*
>
> *(d) The term "State" includes any* ***Territory*** *or possession of the United States.*

Anything OUTSIDE of the GEOGRAPHICAL "United States" as defined above is "foreign" and therefore legislatively "alien". Included within that legislatively "foreign" and "alien" area are both the constitutional states of the Union AND foreign countries. Anyone domiciled in a legislatively "foreign" or "alien" jurisdiction, REGARDLESS OF THEIR NATIONALITY, is a "nonresident alien" for the purposes of income taxation. Another important thing about the above definition is that:

1. It relates ONLY to the GEOGRAPHICAL CONTEXT of the word.
2. Not every use of the term "United States" implies the GEOGRAPHIC context.
3. The ONLY way to verify which context is implied in each case is if they EXPRESSLY identify whether they mean "United States****" the legal person or "United States**" federal territory in each case. All other contexts are NOT expressly invoked in the Internal Revenue Code and therefore PURPOSEFULLY EXCLUDED per the rules of statutory construction. The DEFAULT context in the absence of expressly invoking the GEOGRAPHIC context is "United States****" the legal person and NOT a geographic place. This is how they do it in the case of the phrase "sources within the United States", as we explain later in section **Error! Reference source not found.** and following.

1.4.5 Legally but not physically present

One can be "legally present" within a jurisdiction WITHOUT being PHYSICALLY present. For example, you can be regarded as a "resident" within the Internal Revenue Code, Subtitles A and C without ever being physically present on the

only place it applies, which is federal territory not part of any state of the Union. Earlier versions of the Internal Revenue regulations demonstrate how this happens:

> *26 C.F.R. §301.7701-5 Domestic, foreign, resident, and nonresident persons.*
>
> *A domestic corporation is one organized or created in the United States, including only the States (and during the periods when not States, the Territories of Alaska and Hawaii), and the District of Columbia, or under the law of the United States or of any State or Territory. A foreign corporation is one which is not domestic. A domestic corporation is a resident corporation even though it does no business and owns no property in the United States.* ***A foreign corporation engaged in trade or business within the United States is referred to in the regulations in this chapter as a resident foreign corporation, and a foreign corporation not engaged in trade or business within the United States, as a nonresident foreign corporation.*** *A partnership engaged in trade or business within the United States is referred to in the regulations in this chapter as a resident partnership, and a partnership not engaged in trade or business within the United States, as a nonresident partnership.* ***Whether a partnership is to be regarded as resident or nonresident is not determined by the nationality or residence of its members or by the place in which it was created or organized.***
> *[Amended by T.D. 8813, Federal Register: February 2, 1999 (Volume 64, Number 21), Page 4967-4975]*
> *[SOURCE: http://famguardian.org/TaxFreedom/CitesByTopic/Resident-26cfr301.7701-5.pdf]*

The corporations and partnerships mentioned above represent the ONLY "persons" who are "taxpayers" in the Internal Revenue Code, because they are the only entities expressly mentioned in the definition of "person" found at 26 U.S.C. §6671(b) and 26 U.S.C. §7343. It is a rule of statutory construction that any thing or class of thing not EXPRESSLY appearing in a definition is purposefully excluded by implication:

> *"**Expressio unius est exclusio alterius**. A maxim of statutory interpretation meaning that* ***the expression of one thing is the exclusion of another.*** *Burgin v. Forbes, 293 Ky. 456, 169 S.W.2d. 321, 325; Newblock v. Bowles, 170 Okl. 487, 40 P.2d. 1097, 1100. Mention of one thing implies exclusion of another.* ***When certain persons or things are specified in a law, contract, or will, an intention to exclude all others from its operation may be inferred.*** *Under this maxim, if statute specifies one exception to a general rule or assumes to specify the effects of a certain provision, other exceptions or effects are excluded."*
> *[Black's Law Dictionary, Sixth Edition, p. 581]*
>
> ---
>
> *"The United States Supreme Court cannot supply what Congress has studiously omitted in a statute."*
> *[Federal Trade Com. v. Simplicity Pattern Co., 360 U.S. 55, p. 55, 475042/56451 (1959)]*

These same artificial "persons" and therefore public offices within 26 U.S.C. §§6671(b) and 7343, are also NOT mentioned in the constitution either. All constitutional "persons" or "people" are human beings, and therefore the tax imposed by the Internal Revenue Code Subtitles A and C and even the revenue clauses within the United States Constitution itself at 1:8:1 and 1:8:3 can and do relate ONLY to human beings and not artificial "persons" or corporations:

> ***"Citizens of the United States within the meaning of this Amendment must be natural and not artificial persons; a corporate body is not a citizen of the United States**.14*
>
> ---
>
> *14 Insurance Co. v. New Orleans, 13 Fed.Cas. 67 (C.C.D.La. 1870). Not being citizens of the United States, corporations accordingly have been declared unable "to claim the protection of that clause of the Fourteenth Amendment which secures the privileges and immunities of citizens of the United States against abridgment or impairment by the law of a State." Orient Ins. Co. v. Daggs, 172 U.S. 557, 561 (1869) . This conclusion was in harmony with the earlier holding in Paul v. Virginia, 75 U.S. (8 Wall.) 168 (1869), to the effect that corporations were not within the scope of the privileges and immunities clause of state citizenship set out in Article IV, Sec. 2. See also Selover, Bates & Co. v. Walsh, 226 U.S. 112, 126 (1912) ; Berea College v. Kentucky, 211 U.S. 45 (1908) ; Liberty Warehouse Co. v. Tobacco Growers, 276 U.S. 71, 89 (1928) ; Grosjean v. American Press Co., 297 U.S. 233, 244 (1936) .*
>
> *[Annotated Fourteenth Amendment, Congressional Research Service.*
> *SOURCE: http://www.law.cornell.edu/anncon/html/amdt14a_user.html#amdt14a_hd1]*

One is therefore ONLY regarded as a "resident" within the Internal Revenue Code if and ONLY if they are engaged in the "trade or business" activity, which is defined in 26 U.S.C. §7701(a)(26) as "the functions of a public office". This mechanism for acquiring jurisdiction is documented in Federal Rule of Civil Procedure 17(b) . Federal Rule of Civil Procedure 17(b) says that when we are representing a federal and not state corporation as "officers" or statutory

"employees" per 5 U.S.C. §2105(a) , the civil laws which apply are the place of formation and domicile of the corporation, which in the case of the government of "U.S. Inc." is ONLY the District of Columbia:

> *IV. PARTIES > Rule 17.*
> *Rule 17. Parties Plaintiff and Defendant; Capacity*
>
> *(b) Capacity to Sue or be Sued.*
>
> *Capacity to sue or be sued is determined as follows:*
> *(1) for an individual who is not acting in a representative capacity, by the law of the individual's domicile;*
> ***(2) for a corporation, by the law under which it was organized; and***
> *(3) for all other parties, by the law of the state where the court is located, except that:*
> *(A) a partnership or other unincorporated association with no such capacity under that state's law may sue or be sued in its common name to enforce a substantive right existing under the United States Constitution or laws; and*
> *(B) 28 U.S.C. §§ 754 and 959(a) govern the capacity of a receiver appointed by a United States court to sue or be sued in a United States court.*
>
> *[Federal Rule of Civil Procedure 17(b)]*

Please note the following very important facts:

1. The "person" which IS physically present on federal territory in the context of Federal Rule of Civil Procedure 17(b)(2) scenario is the PUBLIC OFFICE, rather than the OFFICER who is CONSENSUALLY and LAWFULLY filling said office.
2. The PUBLIC OFFICE is the statutory "taxpayer" per 26 U.S.C. §7701(a)(14) , and not the human being filling said office.
3. The OFFICE is the thing the government created and can therefore regulate and tax. They can ONLY tax and regulate that which they created.[1] The public office has a domicile in the District of Columbia per 4 U.S.C. §72, which is the same domicile as that of its CORPORATION parent.
4. Because the parent government corporation of the office is a STATUTORY but not CONSTITUTIONAL "U.S. citizen", then the public office itself is ALSO a statutory citizen per 26 C.F.R. §1.1-1(c). All creations of a government have the same civil status as their creator and the creation cannot be greater than the creator:

> *"A corporation is a citizen, resident, or inhabitant of the state or country by or under the laws of which it was created, and of* ***that state or country only****."*
> *[19 Corpus Juris Secundum (C.J.S.), Corporations, §886 (2003)]*

5. An oath of office is the ONLY lawful method by which a specific otherwise PRIVATE person can be connected to a specific PUBLIC office.

> *"****It is true, that the person who accepts an office may be supposed to enter into a compact [contract] to be answerable to the government, which he serves, for any violation of his duty; and, having taken the oath of office, he would unquestionably be liable, in such case, to a prosecution for perjury in the Federal Courts. But because one man, by his own act, renders himself amenable to a particular jurisdiction, shall another man, who has not incurred a similar obligation, be implicated?*** *If, in other words, it is sufficient to vest a jurisdiction in this court, that a Federal Officer is concerned; if it is a sufficient proof of a case arising under a law of the United States to affect other persons, that such officer is bound, by law, to discharge his duty with fidelity; a source of jurisdiction is opened, which must inevitably overflow and destroy all the barriers between the judicial authorities of the State and the general government. Anything which can prevent a Federal Officer from the punctual, as well as from an impartial, performance of his duty; an assault and battery; or the recovery of a debt, as well as the offer of a bribe, may be made a foundation of the jurisdiction of this court; and,* ***considering the constant disposition of power to extend the sphere of its influence, fictions will be resorted to, when real cases cease to occur. A mere fiction, that the defendant is in the custody of the marshall, has rendered the jurisdiction of the King's Bench universal in all personal actions.****"*
> *[United States v. Worrall, 2 U.S. 384 (1798)*
> *SOURCE: http://scholar.google.com/scholar_case?case=3339893669697439168]*

Absent proof on the record of such an oath in any legal proceeding, any enforcement proceeding against a "taxpayer" public officer must be dismissed. The oath of public office:

[1] See *Great IRS Hoax*, Form #11.302, Section 5.1.1 entitled "The Power to Create is the Power to Tax". SOURCE: http://famguardian.org/Publications/GreatIRSHoax/GreatIRSHoax.htm.

5.1. Makes the OFFICER into legal surety for the PUBLIC OFFICE.
5.2. Creates a partnership between the otherwise private officer and the government. That is the ONLY partnership within the statutory meaning of "person" found in 26 U.S.C. §7343 and 26 U.S.C. §6671(b).

6. The reason that "United States" is defined as expressly including ONLY the District of Columbia in 26 U.S.C. §7701(a)(9) and (a)(10) is because that is the ONLY place that "public officers" can lawfully serve, per 4 U.S.C. §72:

> *TITLE 4 > CHAPTER 3 > § 72*
> *Sec. 72. - Public offices; at seat of Government*
>
> *All offices attached to the seat of government shall be exercised in the District of Columbia, and not elsewhere, except as otherwise expressly provided by law*

7. Even within privileged federal corporations, not all workers are "officers" and therefore "public officers". Only the officers of the corporation identified in the corporate filings, in fact, are officers and public officers. Every other worker in the corporation is EXCLUSIVELY PRIVATE and NOT a statutory "taxpayer".
8. The authority for instituting the "trade or business" franchise tax upon public officers in the District of Columbia derives from the following U.S. Supreme Court cite:

> *"Loughborough v. Blake, 5 Wheat. 317, 5 L.Ed. 98, was an action of trespass or, as appears by the original record, replevin, brought in the circuit court for the District of Columbia to try the right of Congress to impose a direct tax for general purposes on that District. 3 Stat. at L. 216, chap. 60.* ***It was insisted that Congress could act in a double capacity: in one as legislating [182 U.S. 244, 260] for the states; in the other as a local legislature for the District of Columbia. In the latter character, it was admitted that the power of levying direct taxes might be exercised, but for District purposes only, as a state legislature might tax for state purposes; but that it could not legislate for the District under art. 1, 8, giving to Congress the power 'to lay and collect taxes, imposts, and excises,' which 'shall be uniform throughout the United States,' inasmuch as the District was no part of the United States [described in the Constitution]****. It was held that the grant of this power was a general one without limitation as to place, and consequently extended to all places over which the government extends; and that it extended to the District of Columbia as a constituent part of the United States. The fact that art. 1 , 2, declares that 'representatives and direct taxes shall be apportioned among the several states . . . according to their respective numbers' furnished a standard by which taxes were apportioned, but not to exempt any part of the country from their operation. 'The words used do not mean that direct taxes shall be imposed on states only which are represented, or shall be apportioned to representatives;* ***but that direct taxation, in its application to states, shall be apportioned to numbers.****' That art. 1, 9, 4, declaring that direct taxes shall be laid in proportion to the census, was applicable to the District of Columbia, 'and will enable Congress to apportion on it its just and equal share of the burden, with the same accuracy as on the respective states. If the tax be laid in this proportion, it is within the very words of the restriction. It is a tax in proportion to the census or enumeration referred to.' It was further held that the words of the 9th section did not 'in terms require that the system of direct taxation, when resorted to, shall be extended to the territories, as the words of the 2d section require that it shall be extended to all the states. They therefore may, without violence, be understood to give a rule when the territories shall be taxed, without imposing the necessity of taxing them.'"*
> *[Downes v. Bidwell, 182 U.S. 244 (1901)]*

9. Since the first four commandments of the Ten Commandments prohibit Christians from worshipping or serving other gods, then they also forbid Christians from being public officers in their private life if the government has superior or supernatural powers, immunities, or privileges above everyone else, which is the chief characteristic of any god. The word "serve" in the scripture below includes serving as a public officer. The essence of religious "worship" is, in fact, obedience to the dictates of a SUPERIOR or SUPERNATURAL being. You as a human being are the "natural" in the phrase "supernatural", so if any government or civil ruler has any more power than you as a human being, then they are a god in the context of the following scripture.

> *"****You shall have no other gods [including governments or civil rulers] before Me. You shall not make for yourself a carved image—any likeness of anything that is in heaven above, or that is in the earth beneath, or that is in the water under the earth; you shall not bow down or serve them.*** *For I, the Lord your God, am a jealous God, visiting the iniquity of the fathers upon the children to the third and fourth generations of those who hate Me, but showing mercy to thousands, to those who love Me and keep My commandments.*
> *[Exodus 20:3-6, Bible, NKVJ]*

10. Any attempt to compel you to occupy or accept the obligations of a public office without your consent represents several crimes, including:
10.1. Theft of all the property and rights to property acquired by associating you with the status of "taxpayer".
10.2. Impersonating a public officer in violation of 18 U.S.C. §912.
10.3. Involuntary servitude in violation of the Thirteenth Amendment.
10.4. Identity theft, because it connects your legal identity to obligations that you don't consent to, all of which are

associated with the statutory status of "taxpayer".

10.5. Peonage, if the status of "taxpayer" is surety for public debts, in violation of 18 U.S.C. §1581. Peonage is slavery in connection with a debt, even if that debt is the PUBLIC debt.

Usually false and fraudulent information returns are the method of connecting otherwise alien and nonresident parties to the "trade or business" franchise, and thus, they are being criminally abused as the equivalent of federal election devices to fraudulently "elect" otherwise PRIVATE and nonresident parties to be liable for the obligations of a public office. 26 U.S.C. §6041(a) establishes that information returns which impute statutory "income" may ONLY lawfully be filed against this lawfully engaged in a "trade or business". This is covered in:

Correcting Erroneous Information Returns, Form #04.001 http://sedm.org/Forms/FormIndex.htm

2. MEANING OF "UNITED STATES"

2.1 Three geographical definitions of "United States"

Most of us are completely unaware that the term "United States" has several distinct and separate legal meanings and that it is up to us to know and understand these differences, to use them appropriately, and to clarify exactly which one we mean whenever we sign any government or financial form (including voter registration, tax documents, etc). If we do not, we could unknowingly, unwillingly and involuntarily be creating false presumptions that cause us to surrender our Constitutional rights and our sovereignty. The fact is, most of us have unwittingly been doing just that for most, if not all, of our lives. Much of this misunderstanding and legal ignorance has been deliberately "manufactured" by our corrupted government in the public school system. It is a fact that our public dis-servants want docile sheep who are easy to govern, not "high maintenance " sovereigns capable of critical and independent thinking and who demand their rights. We have become so casual in our use of the term "United States" that it is no longer understood, even within the legal profession, that there are actually *three different* legal meanings to the term. In fact, the legal profession has contributed to this confusion over this term by removing its definitions from all legal dictionaries currently in print that we have looked at. See *Great IRS Hoax*, Form #11.302, Section 6.10.1 for details on this scam.

Most of us have grown up thinking the term "United States" indicates and includes all 50 states of the Union. This is true in the context of the U.S. Constitution but it is not true in all contexts. As you will see, this is the third meaning assigned to the term "United States" by the United States Supreme Court. But, usually when we (Joe six pack) use the term United States we actually think we are saying the united States, as we are generally thinking of the several states or the union of States. As you will learn in this section, the meaning of the term depends entirely on the context and when we are filling out federal forms or speaking with the federal government, this is a very costly false presumption.

First, it should be noted that the term United States is a noun. In fact, it is the proper name and title "We the people..." gave to the corporate entity (non-living thing) of the federal (central) government created by the Constitution. This in turn describes where the "United States" federal corporation referenced in 28 U.S.C. §3002(15)(A) was to be housed as the Seat of the Government - In the District of Columbia, not to exceed a ten mile square.

> *Constitution*
> *Article 1, Section 8, Clause 17*
>
> *To exercise exclusive Legislation in all Cases whatsoever, over such District (not exceeding ten Miles square) as may, by Cession of particular States, and the Acceptance of Congress, become the Seat of the Government of the United States, and to exercise like Authority over all Places purchased by the Consent of the Legislature of the State in which the Same shall be for the Erection of Forts, Magazines, Arsenals, dock-Yards, and other needful Buildings;—And [underlines added]*

Below is how the united States Supreme Court addressed the question of the meaning of the term "United States" (see Black's Law Dictionary) in the famous case of *Hooven & Allison Co. v. Evatt*, 324 U.S. 652 (1945). The Court ruled that the term United States has three uses:

> *"The term 'United States' may be used in any one of several senses. It may be merely the name of a sovereign occupying the position analogous to that of other sovereigns in the family of nations. It may designate the territory over which the sovereignty of the United States extends, or it may be the collective name of the states which are united by and under the Constitution."*

[Hooven & Allison Co. v. Evatt, 324 U.S. 652 (1945)]

We will now break the above definition into its three contexts and show what each means.

Table 1: Meanings assigned to "United States" by the U.S. Supreme Court in Hooven & Allison v. Evatt

#	*U.S. Supreme Court Definition of "United States" in Hooven*	*Context in which usually used*	*Referred to in this article as*	*Interpretation*
1	"It may be merely the name of a sovereign occupying the position analogous to that of other sovereigns in the family of nations."	International law	"United States*"	"'These united States," when traveling abroad, you come under the jurisdiction of the President through his agents in the U.S. State Department, where "U.S." refers to the sovereign society. You are a "Citizen of the United States" like someone is a Citizen of France, or England. We identify this version of "United States" with a single asterisk after its name: "United States*" throughout this article.
2	"It may designate the territory over which the sovereignty of the United States extends, or"	Federal law Federal forms	"United States**"	"The United States (the District of Columbia, possessions and territories)". Here Congress has exclusive legislative jurisdiction. In this sense, the term "United States" is a singular noun. You are a person residing in the District of Columbia, one of its Territories or Federal areas (enclaves). Hence, even a person living in the one of the sovereign States could still be a member of the Federal area and therefore a "citizen of the United States." This is the definition used in most "Acts of Congress" and federal statutes. We identify this version of "United States" with two asterisks after its name: "United States**" throughout this article. This definition is also synonymous with the "United States" corporation found in 28 U.S.C. §3002(15)(A).
3	"...as the collective name for the states which are united by and under the Constitution."	Constitution of the United States	"United States***"	"The several States which is the united States of America." Referring to the 50 sovereign States, which are united under the Constitution of the United States of America. The federal areas within these states are not included in this definition because the Congress does not have exclusive legislative authority over any of the 50 sovereign States within the Union of States. Rights are retained by the States in the 9th and 10th Amendments, and you are a "Citizen of these united States." This is the definition used in the Constitution for the United States of America. We identify this version of "United States" with a three asterisks after its name: "United States***" throughout this article.

The U.S. Supreme Court helped to clarify which of the three definitions above is the one used in the U.S. Constitution, when it held the following. Note they are implying the THIRD definition above and not the other two:

> *"The earliest case is that of Hepburn v. Ellzey, 2 Cranch, 445, 2 L.Ed. 332, in which this court held that, under that clause of the Constitution limiting the jurisdiction of the courts of the United States to controversies between citizens of different states, a citizen of the District of Columbia could not maintain an action in the circuit court of the United States. It was argued that the word 'state.' in that connection, was used simply to denote a distinct political society. 'But,' said the Chief Justice, 'as the act of Congress obviously used the word 'state' in reference to that term as used in the Constitution, it becomes necessary to inquire whether Columbia is a state in the sense of that instrument.* ***The result of that examination is a conviction that the members of the American confederacy only are the states contemplated in the Constitution , . . . and excludes from the term the signification attached to it by writers on the law of nations.' This case was followed in Barney v. Baltimore, 6 Wall. 280, 18 L.Ed. 825, and quite recently in Hooe v. Jamieson, 166 U.S. 395 , 41 L.Ed. 1049, 17 Sup.Ct.Rep. 596. The same rule was applied to citizens of territories in New Orleans v. Winter, 1 Wheat. 91, 4 L.Ed. 44, in which an attempt was made to distinguish a territory from the District of Columbia. But it was said that 'neither of them is a state in the sense in which that term is used in the Constitution.'*** *In Scott v. Jones, 5 How. 343, 12 L.Ed. 181, and in Miners' Bank v. Iowa ex rel. District Prosecuting Attorney, 12 How. 1, 13 L.Ed. 867, it was held that under the judiciary act, permitting writs of error to the supreme court of a state in cases where the validity of a state statute is drawn in question, an act of a territorial legislature was not within the contemplation of Congress."*
> *[Downes v. Bidwell, 182 U.S. 244 (1901)]*

The Supreme Court further clarified that the Constitution implies the third definition above, which is the United States*** when they held the following. Notice that they say "not part of the United States within the meaning of the Constitution" and that the word "the" implies only ONE rather than multiple GEOGRAPHIC meanings:

> *"As the only judicial power vested in Congress is to create courts whose judges shall hold their offices during good behavior, it necessarily follows that,* ***if Congress authorizes the creation of courts and the appointment of judges for limited time, it must act independently of the Constitution upon territory which is not part of the United States within the meaning of the Constitution.****"*
> *[O'Donoghue v. United States, 289 U.S. 516, 53 S.Ct. 740 (1933)]*

And finally, the U.S. Supreme Court has also held that the Constitution does not and cannot determine or limit the authority of Congress over federal territory and that the ONLY portion of the Constitution that does in fact expressly refer to federal territory and therefore the statutory "United States" is Article 1, Section 8, Clause 17. Notice they ruled that Puerto Rico is NOT part of the "United States" within the meaning of the Constitution, just like they ruled in O'Donoghue above that territory was no part of the "United States":

> *In passing upon the questions involved in this and kindred cases, we ought not to overlook the fact that,* ***while the Constitution was intended to establish a permanent form of government for the states which should elect to take advantage of its conditions, and continue for an indefinite future, the vast possibilities of that future could never have entered the minds of its framers.*** *The states had but recently emerged from a war with one of the most powerful nations of Europe, were disheartened by the failure of the confederacy, and were doubtful as to the feasibility of a stronger union. Their territory was confined to a narrow strip of land on the Atlantic coast from Canada to Florida, with a somewhat indefinite claim to territory beyond the Alleghenies, where their sovereignty was disputed by tribes of hostile Indians supported, as was popularly believed, by the British, who had never formally delivered possession [182 U.S. 244, 285] under the treaty of peace. The vast territory beyond the Mississippi, which formerly had been claimed by France, since 1762 had belonged to Spain, still a powerful nation and the owner of a great part of the Western Hemisphere.* ***Under these circumstances it is little wonder that the question of annexing these territories was not made a subject of debate. The difficulties of bringing about a union of the states were so great, the objections to it seemed so formidable, that the whole thought of the convention centered upon surmounting these obstacles. The question of territories was dismissed with a single clause, apparently applicable only to the territories then existing, giving Congress the power to govern and dispose of them.***
>
> *Had the acquisition of other territories been contemplated as a possibility, could it have been foreseen that, within little more than one hundred years, we were destined to acquire, not only the whole vast region between the Atlantic and Pacific Oceans, but the Russian possessions in America and distant islands in the Pacific, it is incredible that no provision should have been made for them, and the question whether the Constitution should or should not extend to them have been definitely settled.* ***If it be once conceded that we are at liberty to acquire foreign territory, a presumption arises that our power with respect to such territories is the same power which other nations have been accustomed to exercise with respect to territories acquired by them. If, in limiting the power which Congress was to exercise within the United States[***], it was also intended to limit it with regard to such territories as the people of the United States[***] should thereafter acquire, such limitations should have been expressed. Instead of that, we find the Constitution speaking only to states, except in the territorial clause, which is absolute in its terms, and suggestive of no limitations upon the power of Congress in dealing with them. The states could only delegate to Congress such powers as they themselves possessed, and as they had no power to acquire new territory they had none to delegate in that connection. The logical inference from this is that if Congress had power to acquire new territory, which is conceded, that power was not hampered by the constitutional provisions.*** *If, upon the other hand, we assume [182 U.S. 244, 286] that the territorial clause of the Constitution was not intended to be restricted to such territory as the United States then possessed, there is nothing in the Constitution to indicate that the power of Congress in dealing with them was intended to be restricted by any of the other provisions.*
>
> *[. . .]*
>
> *If those possessions are inhabited by alien races, differing from us in religion, customs, laws, methods of taxation, and modes of thought, the administration of government and justice, according to Anglo-Saxon principles, may for a time be impossible; and the question at once arises whether large concessions ought not to be made for a time, that ultimately our own theories may be carried out, and the blessings of a free government under the Constitution extended to them. We decline to hold that there is anything in the Constitution to forbid such action.*
>
> ***We are therefore of opinion that the island of Porto Rico is a territory appurtenant and belonging to the United States, but not a part of the United States[***] within the revenue clauses of the Constitution;*** *that the Foraker act is constitutional, so far as it imposes duties upon imports from such island, and that the plaintiff cannot recover back the duties exacted in this case.*
> *[Downes v. Bidwell, 182 U.S. 244 (1901)]*

2.2 The two political jurisdictions/nations within the United States*

Another important distinction needs to be made. Definition 1 above refers to the country "United States*", but this country is *not* a "nation", in the sense of international law. This very important point was made clear by the U.S. Supreme Court in 1794 in the case of *Chisholm v. Georgia*, 2 Dall. (U.S.) 419, 1 L.Ed. 440 (1793) , when it said:

> *This is a case of uncommon magnitude. One of the parties to it is a State; certainly respectable, claiming to be sovereign.* ***The question to be determined is, whether this State, so respectable, and whose claim soars so high, is amenable to the jurisdiction of the Supreme Court of the United States? This question, important in***

> ***itself, will depend on others, more important still; and, may, perhaps, be ultimately resolved into one, no less radical than this 'do the people of the United States form a Nation?'***
>
> *A cause so conspicuous and interesting, should be carefully and accurately viewed from every possible point of sight. I shall examine it; 1st. By the principles of general jurisprudence. 2nd. By the laws and practice of particular States and Kingdoms.* ***From the law of nations little or no illustration of this subject can be expected. By that law the several States and Governments spread over our globe, are considered as forming a society, not a NATION.*** *It has only been by a very few comprehensive minds, such as those of Elizabeth and the Fourth Henry, that this last great idea has been even contemplated. 3rdly. and chiefly, I shall examine the important question before us, by the Constitution of the United States, and the legitimate result of that valuable instrument.*
> *[Chisholm v. Georgia, 2 Dall. (U.S.) 419, 1 L.Ed. 440 (1793)]*

An earlier edition of Black's Law Dictionary further clarifies the distinction between a "nation" and a "society" by clarifying the differences between a ***national*** government and a ***federal*** government, and keep in mind that the American government is called "federal government":

> *"**NATIONAL GOVERNMENT**. The government of a whole nation, as distinguished from that of a local or territorial division of the nation, and also as distinguished from that of a league or confederation.*
>
> *"A national government is a government of the people of a single state or nation, united as a community by what is termed the "social compact,' and possessing complete and perfect supremacy over persons and things, so far as they can be made the lawful objects of civil government.* ***A federal government is distinguished from a national government by its being the government of a community of independent and sovereign states, united by compact."*** *Piqua Branch Bank v. Knoup, 6 Ohio.St. 393."*
> *[Black's Law Dictionary, Revised Fourth Edition, 1968, p. 1176]*
>
> ---
>
> ***"FEDERAL GOVERNMENT**. The system of government administered in a state formed by the union or confederation of* ***several independent or quasi independent states****; also the composite state so formed.*
>
> *In strict usage, there is a distinction between a confederation and a federal government.* ***The former term denotes a league or permanent alliance between several states, each of which is fully sovereign and independent, and each of which retains its full dignity, organization, and sovereignty, though yielding to the central authority a controlling power for a few limited purposes, such as external and diplomatic relations. In this case, the component states are the units, with respect to the confederation, and the central government acts upon them, not upon the individual citizens. In a federal government, on the other hand, the allied states form a union,-not, indeed, to such an extent as to destroy their separate organization or deprive them of quasi sovereignty with respect to the administration of their purely local concerns, but so that the central power is erected into a true state or nation, possessing sovereignty both external and internal,-while the administration of national affairs is directed, and its effects felt, not by the separate states deliberating as units, but by the people of all. in their collective capacity, as citizens of the nation.*** *The distinction is expressed, by the German writers, by the use of the two words "Staatenbund" and "Bundesstaut;" the former denoting a league or confederation of states, and the latter a federal government, or state formed by means of a league or confederation."*
> *[Black's Law Dictionary, Revised Fourth Edition, 1968, p. 740]*

So the "United States*" the country is a "society" and a "sovereignty" but not a "nation" under the law of nations, by the Supreme Court's own admission. Because the Supreme Court has ruled on this matter, it is now incumbent upon each of us to always remember it and to apply it in all of our dealings with the Federal Government. If not, we lose our individual Sovereignty by default and the Federal Government assumes jurisdiction over us. So, while a sovereign Citizen will want to be the third type of Citizen, which is a "Citizen of the United States***" and on occasion a "citizen of the United States*", he would never want to be the second, which is a "citizen of the United States**". A human being who is a "citizen" of the second is called a *statutory* "U.S. citizen" under 8 U.S.C. §1401, and he is treated in law as occupying a place not protected by the Bill of Rights, which is the first ten amendments of the United States Constitution. Below is how the U.S. Supreme Court, in a dissenting opinion, described this "other" United States, which we call the "federal zone":

> *"The idea prevails with some, indeed it has found expression in arguments at the bar, that* ***we have in this country substantially two national governments; one to be maintained under the Constitution, with all of its restrictions; the other to be maintained by Congress outside the independently of that instrument, by exercising such powers [of absolutism] as other nations of the earth are accustomed to.. I take leave to say that, if the principles thus announced should ever receive the sanction of a majority of this court, a radical***

and mischievous change in our system of government will result. We will, in that event, pass from the era of constitutional liberty guarded and protected by a written constitution into an era of legislative absolutism.. It will be an evil day for American liberty if the theory of a government outside the supreme law of the land finds lodgment in our constitutional jurisprudence. No higher duty rests upon this court than to exert its full authority to prevent all violation of the principles of the Constitution.*"***
[Downes v. Bidwell, 182 U.S. 244 (1901)]

2.3 "United States" as a corporation and a Legal Person

The second definition of "United States**" above is also a federal corporation. This corporation was formed in 1871. It is described in 28 U.S.C. §3002(15)(A):

TITLE 28 > PART VI > CHAPTER 176 > SUBCHAPTER A > Sec. 3002.
TITLE 28 - JUDICIARY AND JUDICIAL PROCEDURE
PART VI - PARTICULAR PROCEEDINGS
CHAPTER 176 - FEDERAL DEBT COLLECTION PROCEDURE
SUBCHAPTER A - DEFINITIONS AND GENERAL PROVISIONS

Sec. 3002. Definitions
(15) "United States" means -
(A) a Federal corporation;
(B) an agency, department, commission, board, or other entity of the United States; or
(C) an instrumentality of the United States.

The U.S. Supreme Court, in fact, has admitted that all governments are corporations when it said:

"Corporations are also of all grades, and made for varied objects; ***all governments are corporations, created by usage and common consent, or grants and charters which create a body politic for prescribed purposes; but whether they are private, local or general, in their objects, for the enjoyment of property, or the exercise of power, they are all governed by the same rules of law, as to the construction and the obligation of the instrument by which the incorporation is made [the Constitution is the corporate charter].*** *One universal rule of law protects persons and property. It is a fundamental principle of the common law of England, that the term freemen of the kingdom, includes 'all persons,' ecclesiastical and temporal, incorporate, politique or natural; it is a part of their magna charta (2 Inst. 4), and is incorporated into our institutions. The persons of the members of corporations are on the same footing of protection as other persons, and their corporate property secured by the same laws which protect that of individuals. 2 Inst. 46-7. 'No man shall be taken,' 'no man shall be disseised,' without due process of law, is a principle taken from magna charta, infused into all our state constitutions, and is made inviolable by the federal government, by the amendments to the constitution."*
[Proprietors of Charles River Bridge v. Proprietors of, 36 U.S. 420 (1837)]

If we are acting as a federal "public official" or contractor, then we are representing the "United States** federal corporation". That corporation is a statutory "U.S. citizen" under 8 U.S.C. §1401 which is completely subject to all federal law.

"A corporation is a citizen, resident, or inhabitant of the state or country by or under the laws of which it was created, and of that state or country only."
[19 Corpus Juris Secundum (C.J.S.), Corporations, §886 (2003)]

Federal Rule of Civil Procedure 17(b) says that when we are representing that corporation as "officers" or "employees", we therefore become statutory "U.S. citizens" completely subject to federal territorial law:

IV. PARTIES > Rule 17.
Rule 17. Parties Plaintiff and Defendant; Capacity

(b) Capacity to Sue or be Sued.

Capacity to sue or be sued is determined as follows:
(1) for an individual who is not acting in a representative capacity, by the law of the individual's domicile;
(2) for a corporation, by the law under which it was organized; and
(3) for all other parties, by the law of the state where the court is located, except that:
(A) a partnership or other unincorporated association with no such capacity under that state's law may sue or be sued in its common name to enforce a substantive right existing under the United States Constitution or laws; and
(B) 28 U.S.C. §§754 and 959(a) govern the capacity of a receiver appointed by a United States court to sue or be sued in a United States court.

[Federal Rule of Civil Procedure 17(b)]

Yet on every government (any level) document we sign (e.g. Social Security, Marriage License, Voter Registration, Drivers License, BATF 4473, etc.) they either require you to be a "citizen of the United States" or they ask "are you a resident of Illinois?". They are in effect asking you to assume or presume the second definition, the "United States**", when you fill out the form, but they don't want to tell you this because then you would realize they are asking you to commit perjury on a government form under penalty of perjury. They in effect are asking you if you wish to act in the official capacity of a public employee of the federal corporation. The form you are filling out therefore is serving the dual capacity of a federal job application and an application for benefits. The reason this must be so, is that they are not allowed to pay "benefits" to private citizens and can only lawfully pay them to public employees. Any other approach makes the government into a thief. See the article below for details on this scam:

Why Your Government is Either a Thief or You are a "Public Officer" for Income Tax Purposes, Form #05.008
http://sedm.org/Forms/FormIndex.htm

If you accept the false and self-serving presumption of your public dis-servants, or you answer "Yes" to the question of whether you are a "citizen of the United States" or a "U.S. citizen" on a federal or state form, usually under penalty of perjury, then you have committed perjury under penalty of perjury and also voluntarily placed yourself under their exclusive/plenary legislative jurisdiction as a public official/"employee" and are therefore subject to Federal & State Codes and Regulations (Statutes). The Social Security Number they ask for on the form, in fact, is prima facie evidence that you are a federal employee, in fact. Look at the evidence for yourself, paying particular attention to sections 6.1, 6.2 and 6.6:

Resignation of Compelled Social Security Trustee, Form #06.002
http://sedm.org/Forms/FormIndex.htm

Most laws passed by government are, in effect, law only for government. They are private law or contract law that act as the equivalent of a government employment agreement.

> *"The power to "legislate generally upon" life, liberty, and property, as opposed to the "power to provide modes of redress" against offensive state action, was "repugnant" to the Constitution. Id., at 15. See also United States v. Reese, 92 U.S. 214, 218 (1876); United States v. Harris, 106 U.S. 629, 639 (1883); James v. Bowman, 190 U.S. 127, 139 (1903). Although the specific holdings of these early cases might have been superseded or modified, see, e.g., Heart of Atlanta Motel, Inc. v. United States, 379 U.S. 241 (1964); United States v. Guest, 383 U.S. 745 (1966), their treatment of Congress' §5 power as corrective or preventive, not definitional, has not been questioned."*
> *[City of Boerne v. Florez, Archbishop of San Antonio, 521 U.S. 507 (1997)]*

What the U.S. Supreme Court is saying above is that the government has no authority to tell you how to run your ***private life***. This is contrary to the whole idea of the Internal Revenue Code, whose main purpose is to monitor and control ***every aspect*** of those who are subject to it. In fact, it has become the chief means for Congress to implement what we call "social engineering". Just by the deductions they offer, people who are not engaged in a "trade or business" and thus have no income tax liability are incentivized into all kinds of crazy behaviors in pursuit of reductions in a liability that they in fact do not even have. Therefore, the only reasonable thing to conclude is that Subtitle A of the Internal Revenue Code, which would "appear" to regulate the private conduct of ***all*** individuals in states of the Union, in fact only applies to "public officials" in the official conduct of their duties while present in the District of Columbia, which 4 U.S.C. §72 makes the "seat of government". The I.R.C. therefore essentially amounts to a part of the job responsibility and the "employment contract" of "public officials". This was also confirmed by the House of Representatives, who said that only those who take an oath of "public office" are subject to the requirements of the personal income tax. See:

http://famguardian.org/Subjects/Taxes/Evidence/PublicOrPrivate-Tax-Return.pdf

We the People, as the Sovereigns, cannot lawfully become the proper subject to exclusive federal jurisdiction unless and until we surrender our sovereignty by signing a government employment agreement that can take many different forms: W-4, SS-5, 1040, etc.

> *California Civil Code*
> *DIVISION 3. OBLIGATIONS*
> *PART 2. CONTRACTS*
> *TITLE 1. NATURE OF A CONTRACT*

1589. A voluntary acceptance of the benefit of a transaction is equivalent to a consent to all the obligations arising from it, so far as the facts are known, or ought to be known, to the person accepting.

[SOURCE: http://www.leginfo.ca.gov/cgi-bin/displaycode?section=civ&group=01001-02000&file=1565-1590]

The W-4 is a federal "election" form and you are the ***only*** voter. They are asking you if you want to elect yourself into "public office", and if you say "yes", then you got the job and a cage is reserved for you on the federal plantation:

"The restrictions that the Constitution places upon the government in its capacity as lawmaker, i.e., as the regulator of private conduct, are not the same as the restrictions that it places upon the government in its capacity as employer. We have recognized this in many contexts, with respect to many different constitutional guarantees. Private citizens perhaps cannot be prevented from wearing long hair, but policemen can. Kelley v. Johnson, 425 U.S. 238, 247 (1976). Private citizens cannot have their property searched without probable cause, but in many circumstances government employees can. O'Connor v. Ortega, 480 U.S. 709, 723 (1987) (plurality opinion); id., at 732 (SCALIA, J., concurring in judgment). Private citizens cannot be punished for refusing to provide the government information that may incriminate them, but government employees can be dismissed when the incriminating information that they refuse to provide relates to the performance of their job. Gardner v. Broderick, [497 U.S. 62, 95] 392 U.S. 273, 277 -278 (1968). With regard to freedom of speech in particular: Private citizens cannot be punished for speech of merely private concern, but government employees can be fired for that reason. Connick v. Myers, 461 U.S. 138, 147 (1983). Private citizens cannot be punished for partisan political activity, but federal and state employees can be dismissed and otherwise punished for that reason. Public Workers v. Mitchell, 330 U.S. 75, 101 (1947); Civil Service Comm'n v. Letter Carriers, 413 U.S. 548, 556 (1973); Broadrick v. Oklahoma, 413 U.S. 601, 616 -617 (1973)."
[Rutan v. Republican Party of Illinois, 497 U.S. 62 (1990)]

By making you into a "public official" or "employee", they are intentionally destroying the separation of powers that is the main purpose of the Constitution and which was put there to protect your rights.

*"To the contrary, **the Constitution divides authority between federal and state governments for the protection of individuals. State sovereignty is not just an end in itself: "Rather, federalism secures to citizens the liberties that derive from the diffusion of sovereign power." Coleman v. Thompson, 501 U.S. 722, 759 (1991)** (BLACKMUN, J., dissenting). "Just as the separation and independence of the coordinate branches of the Federal Government serve to prevent the accumulation of excessive power in any one branch, a healthy balance of power between the States and the Federal Government will reduce the risk of tyranny and abuse from either front." Gregory v. [505 U.S. 144, 182] Ashcroft, 501 U.S., at 458 . See The Federalist No. 51, p. 323. (C. Rossiter ed. 1961)."*
[New York v. United States, 505 U.S. 144 (1992)]

They are causing you to voluntarily waive sovereign immunity under the Foreign Sovereign Immunities Act (F.S.I.A.), 28 U.S.C. §1601-1611. 28 U.S.C. §1605(a)(2) of the act says that those who conduct "commerce" within the legislative jurisdiction of the "United States" (federal zone), whether as public official or federal benefit recipient, surrender their sovereign immunity.

TITLE 28 > PART IV > CHAPTER 97 > § 1605
§ 1605. General exceptions to the jurisdictional immunity of a foreign state

(a) A foreign state shall not be immune from the jurisdiction of courts of the United States or of the States in any case—

(2) in which the action is based upon a commercial activity carried on in the United States by the foreign state; or upon an act performed in the United States in connection with a commercial [employment or federal benefit] activity of the foreign state elsewhere; or upon an act outside the territory of the United States in connection with a commercial activity of the foreign state elsewhere and that act causes a direct effect in the United States;

They are also destroying the separation of powers by fooling you into declaring yourself to be a ***statutory*** "U.S.** citizen" under 8 U.S.C. §1401. 28 U.S.C. §1603(b)(3) and 28 U.S.C. §1332(e) specifically exclude such statutory "U.S. citizens" from being foreign sovereigns who can file under statutory diversity of citizenship. This is also confirmed by the Department of State Website:

"Section 1603(b) defines an "agency or instrumentality" of a foreign state as an entity

(1) which is a separate legal person, corporate or otherwise, and

(2) which is an organ of a foreign state or political subdivision thereof, or a majority of whose shares or other ownership interest is owned by a foreign state or political subdivision thereof, and

(3) which is neither a citizen of the a state of the United States as defined in Sec. 1332(e) nor created under the laws of any third country.*"*
[Department of State Website, http://travel.state.gov/law/info/judicial/judicial_693.html]

In effect, they kidnapped your legal identity and made you into a "resident alien federal employee" working in the "king's castle", the District of Criminals, and changed your status from "foreign" to "domestic" by creating false presumptions about citizenship and using the Social Security Number, IRS Form W-4, and SSA Form SS-5 to make you into a "subject citizen" and a "public employee" with no constitutional rights.

The nature of most federal law as private/contract law is carefully explained below:

Requirement for Consent, Form #05.003 http://sedm.org/Forms/FormIndex.htm

As you will soon read, the government uses various ways to mislead and trick us into their private/contract laws (outside our Constitutional protections) and make you into the equivalent of their "employee", and thereby commits a great fraud on the American People. It is the purpose of this document to expose the most important aspect of that willful deception, which is the citizenship trap.

2.4 Why the STATUTORY "United States" does not include states of the Union

A common point of confusion is the comparison between STATUTORY and CONSTITUTIONAL contexts for the "United States". Below is a question posed by a reader about this confusion:

Your extensive citizenship materials say that the term "United States" described in 8 U.S.C. §1101(a)(38) , (a)(36) , and 8 C.F.R. §215.1(f) includes only DC, Puerto Rico, Guam, USVI, and CNMI and excludes all Constitutional Union states. In fact, a significant portion of what your materials say hinges on the interpretation that the term "United States" per 8 U.S.C. §1101(a)(38) includes only DC, Puerto Rico, Guam, USVI, and CNMI and excludes all Constitutional Union states. Therefore, it is important that your readers are confident that this is the correct interpretation of 8 U.S.C. §1101(a)(38). The problem that most of your readers are going to have is that the text for 8 U.S.C. §1101(a)(38) say the "United States" means continental United States, ***Alaska, Hawaii****, Puerto Rico, Guam, and the Virgin Islands of the United States.*

Please explain to me how the term "United States" described in 8 U.S.C. §1101(a)(38), (a)(36) , and 8 C.F.R. §215.1(f) can exclude all Constitution Union states when 8 U.S.C. §1101(a)(38) explicitly lists list Alaska and Hawaii as part of "United States". Alaska and Hawaii were the last two Constitutional states to join the Union and they became Constitutional Union states on August 21, 1959 and January 3, 1959 respectfully. The only possible explanation that I can think of is that the Statutes at Large that 8 U.S.C. §1101(a)(38) is a codification of never got updated after Alaska and Hawaii joined the Union. Do you agree? How can one provide legal proof of this? This proof needs to go into your materials since this is such a key and pivotal issue to understanding your correct political and civil status. It appears that the wording used in 8 U.S.C. §1101(a)(38) is designed to obfuscate and confuse most people into thinking that it is describing United States when in fact is it describing only a portion of United States**. If this section of code is out of date, why has Congress never updated it to remove Alaska and Hawaii from the definition of "United States" ?*

The definitions that lead to this question are as follows:

8 U.S.C. §1101(a)(38)

The term "United States", except as otherwise specifically herein provided, when used in a geographical sense, means the continental United States, Alaska, Hawaii, Puerto Rico, Guam, and the Virgin Islands of the United States.

8 U.S.C. §1101(a)(36)

The term "State" includes the District of Columbia, Puerto Rico, Guam, the Virgin Islands of the United States, and the Commonwealth of the Northern Mariana Islands.

8 C.F.R. §215.1(f)

> *The term continental United States means the District of Columbia and the several States, except Alaska and Hawaii.*

In response to this question, we offer the following explanation:

1. 40 U.S.C. §§3111 and 3112 say that federal jurisdiction does not exist within a state except on land ceded to the national government. Hence, no matter what the geographical definitions are, they do not include anything other than federal territory.
2. All statutory terms are limited to territory over which Congress has EXCLUSIVE GENERAL jurisdiction. All of the statuses indicted in the statutes (including those in 8 U.S.C. §§1401 and 1408) STOP at the border to federal territory and do not apply within states of the Union. One cannot have a status in a place that they are not civilly domiciled, and especially a status that they do NOT consent to and to which rights and obligations attach. Otherwise, the Declaration of Independence is violated because they am subjected to obligations that they didn't consent to and area slave. This is proven in:

 Your Exclusive Right to Declare and Establish Your Civil Status, Form #13.008
 DIRECT LINK: http://sedm.org/Forms/13-SelfFamilyChurchGovnce/RightToDeclStatus.pdf
 FORMS PAGE: http://sedm.org/Forms/FormIndex.htm
3. As the U.S. Supreme Court held, all law is prima facie territorial and confined to the territory of the specific state. The states of the Union are NOT "territory" as legally defined, and therefore, all of the civil statuses found in Title 8 of the U.S. Code do not extend into or relate to anyone civilly domiciled in a constitutional state, regardless of what the definition of "United States" is and whether it is GEOGRAPHICAL or GOVERNMENT sense.

> *"It is a well established principle of law that all federal regulation applies only within the territorial jurisdiction of the United States unless a contrary intent appears."*
> *[Foley Brothers, Inc. v. Filardo, 336 U.S. 281 (1949)]*

> *"The laws of Congress in respect to those matters [outside of Constitutionally delegated powers] do not extend into the territorial limits of the states, but have force only in the District of Columbia, and other places that are within the exclusive jurisdiction of the national government.")*
> *[Caha v. U.S., 152 U.S. 211 (1894)]*

> *"There is a canon of legislative construction which teaches Congress that, unless a contrary intent appears [legislation] is meant to apply only within the territorial jurisdiction of the United States.")*
> *[U.S. v. Spelar, 338 U.S. 217 at 222]*

4. The U.S. Supreme Court has held that Congress enjoys no legislative jurisdiction within a constitutional state. Hence, those in constitutional states can have no civil "status" under the laws of Congress.

> *"The difficulties arising out of our dual form of government and the opportunities for differing opinions concerning the relative rights of state and national governments are many; **but for a very long time this court has steadfastly adhered to the doctrine that the taxing power of Congress does not extend to the states or their political subdivisions**. The same basic reasoning which leads to that conclusion, we think, requires like limitation upon the power which springs from the bankruptcy clause. United States v. Butler, supra."*
> *[Ashton v. Cameron County Water Improvement District No. 1, 298 U.S. 513, 56 S.Ct. 892 (1936)]*

> _____

> *"It is no longer open to question that **the general government, unlike the states**, Hammer v. Dagenhart, 247 U.S. 251, 275 , 38 S.Ct. 529, 3 A.L.R. 649, Ann.Cas.1918E 724, **possesses no inherent power in respect of the internal affairs of the states; and emphatically not with regard to legislation.**"*
> *[Carter v. Carter Coal Co., 298 U.S. 238, 56 S.Ct. 855 (1936)]*

5. The U.S. Supreme Court has held that Congress can only tax or regulate that which it creates. Since it didn't create humans, then all statuses under Title 8 MUST be artificial PUBLIC offices.

> *"What is a Constitution? It is the form of government, delineated by the mighty hand of the people, in which certain first principles of fundamental laws are established. The Constitution is certain and fixed; it contains the permanent will of the people, and is the supreme law of the land; it is paramount to the power of the Legislature, and can be revoked or altered only by the authority that made it. The life-giving principle and the death-doing stroke must proceed from the same hand."*
> *[VanHorne's Lessee v. Dorrance, 2 U.S. 304 (1795)]*

> *"The great principle is this: because the constitution will not permit a state to destroy, it will not permit a law [including a tax law] involving the power to destroy. "*
> *[Providence Bank v. Billings, 29 U.S. 514 (1830)]*

> *"The power to tax involves the power to destroy; the power to destroy may defeat and render useless the power to create; and there is a plain repugnance in conferring on one government [THE FEDERAL GOVERNMENT] a power to control the constitutional measures of another [WE THE PEOPLE], which other, with respect to those very measures, is declared to be supreme over that which exerts the control."*
> *[Van Brocklin v. State of Tennessee, 104H117 U.S. 151 (1886)]*

6. It is a legal impossibility to have more than one domicile and if you are domiciled in a state of the Union, then you are domiciled OUTSIDE of federal territory and federal civil jurisdiction. See:

 Why Domicile and Becoming a "Taxpayer" Require Your Consent, Form #05.002
 http://sedm.org/Forms/FormIndex.htm

7. Just like in the Internal Revenue Code, the term "United States" within Title 8 of the U.S. Code is ONLY defined in its GEOGRAPHICAL sense but the GEOGRAPHICAL sense is not the only sense. The OTHER sense is the GOVERNMENT as a legal person.
8. There is no way provided to distinguish the GEOGRAPHICAL use and the GOVERNMENT use in all the cases we have identified. This leaves the reader guessing and also gives judges unwarranted and unconstitutional discretion to apply either context.
9. The Great IRS Hoax, Form #11.302, Section 5.2.13 talks about the meaning and history of United States in the Internal Revenue Code. It proves that "United States" includes only the federal zone and not the Constitutional states or land under the exclusive jurisdiction of said states.

 Great IRS Hoax, Form #11.302, Section 5.2.13
 http://famguardian.org/Publications/GreatIRSHoax/GreatIRSHoax.htm

10. The term "United States" as used in 8 U.S.C. §1401 within "national and citizen of the United States" does not expressly invoke the GEOGRAPHIC sense and hence, must be presumed to be the GOVERNMENT sense, where "citizen" is a public officer in the government.

The whole point of Title 8 is confuse state citizens with federal citizens and to thereby usurp jurisdiction over them. The tools for usurping that jurisdiction are described in:

Federal Jurisdiction, Form #05.018
http://sedm.org/Forms/FormIndex.htm

A citizen of the District of Columbia is certainly within the meaning of 8 U.S.C. §1401. All you do by trying to confuse THAT citizen with a state citizen is engage in the Stockholm syndrome and facilitate identity theft of otherwise sovereign state citizens by thieves in the District of Criminals. If you believe that an 8 U.S.C. §1401 "national and citizen of the United States" includes state citizens, then you have the burden of describing WHERE those domiciled in federal territory are described in Title 8, because the U.S. Supreme Cour theld that these two types of citizens are NOT the same. Where is your proof?

> *"The 1st section of the 14th article [Fourteenth Amendment], to which our attention is more specifically invited, opens with a definition of citizenship—not only citizenship of the United States[***], but citizenship of the states.* ***No such definition was previously found in the Constitution, nor had any attempt been made to define it by act of Congress.*** *It had been the occasion of much discussion in the courts, by the executive departments and in the public journals.* ***It had been said by eminent judges that no man was a citizen of the United States[***] except as he was a citizen of one of the states composing the Union. Those therefore, who had been born and resided always in the District of Columbia or in the territories, though within the United States[*], were not citizens****. Whether this proposition was sound or not had never been judicially decided."*
> *[Slaughter-House Cases, 83 U.S. (16 Wall.) 36, 21 L.Ed. 394 (1873)]*

In summary, all of the above items cannot simultaneously be true and at the same time, the geographical "United States" including states of the Union within any act of Congress. The truth cannot conflict with itself or it is a LIE. Any attempt to rebut the conclusions of this section must therefore deal with ALL of the issues addressed and not cherry pick the ones that are easy to explain.

Our conclusion is that the United States**, the area over which the sovereign of the United States government extends, is divided into two areas in which one can establish their domicile:

1. American Samoa and
2. "United States" as described in 8 U.S.C. §1101(a)(38), (a)(36) , and 8 C.F.R. §215.1(f).

This is very clear after looking at 8 U.S.C. §1401 and 8 U.S.C. §1408. The term "United States" described in 8 U.S.C. §1101(a)(38), (a)(36), and 8 C.F.R. §215.1(f) is not the inhabited area of United States** as previous mentioned in Appendix A of this document, but rather it is one of the two areas within United States** that one can establish a domicile in. The inhabited areas of the United States** would be "United States" per 8 U.S.C. §1101(a)(38) AND American Samoa. Those born in "United States" per 8 U.S.C. §1101(a)(38) are "citizens of the "United States", where "United States" is described in 8 U.S.C. §1101(a)(38), and "nationals of United States**" per 8 U.S.C. §1101(a)(22). Those born in American Samoa are "non-citizens of the "United States", where "United States" is described in 8 U.S.C. §1101(a)(38), but "nationals of United States**" per 8 U.S.C. §1101(a)(22). United States** = "United States", where "United States" is described in 8 U.S.C. §1101(a)(38), American Samoa, and all of the uninhabited territories of the U.S., including the federal enclaves within the exterior borders of the Constitutional Union states.

For further supporting evidence about the subject of this section, see:

Tax Deposition Questions, Form #03.016, Section 14: Citizenship http://sedm.org/Forms/FormIndex-SinglePg.htm

3. "STATUTORY" v. "CONSTITUTIONAL" CITIZENS

> *"When words lose their meaning [or their CONTEXT WHICH ESTABLISHES THEIR MEANING], people lose their freedom."*
> *[Confucius (551 BCE - 479 BCE) Chinese thinker and social philosopher]*

Statutory citizenship is a legal status that designates a person's domicile while constitutional citizenship is a political status that designates a person's nationality. Understanding the distinction between nationality and domicile is absolutely critical.

1. Nationality:
 - 1.1. Is not necessarily consensual or discretionary. For instance, acquiring nationality by birth in a specific place was not a matter of choice whereas acquiring it by naturalization is.
 - 1.2. Is a political status.
 - 1.3. Is defined by the Constitution, which is a political document.
 - 1.4. Is synonymous with being a "national" within statutory law.
 - 1.5. Is associated with a specific COUNTRY.
 - 1.6. Is called a "political citizen" or a "citizen of the United States in a political sense" by the courts to distinguish it from a STATUTORY citizen. See Powe v. United States, 109 F.2d 147 (1940).
2. Domicile:
 - 2.1. Always requires your consent and therefore is discretionary. See:

Why Domicile and Becoming a "Taxpayer" Require Your Consent, Form #05.002 http://sedm.org/Forms/FormIndex.htm

 - 2.2. Is a civil status.
 - 2.3. Is not even addressed in the constitution.
 - 2.4. Is defined by civil statutory law RATHER than the constitution.
 - 2.5. Is in NO WAY connected with one's nationality.
 - 2.6. Is usually connected with the word "person", "citizen", "resident", or "inhabitant" in statutory law.
 - 2.7. Is associated with a specific COUNTY and a STATE rather than a COUNTRY.
 - 2.8. Implies one is a "SUBJECT" of a SPECIFIC MUNICIPAL but not NATIONAL government.

Nationality and domicile, TOGETHER determine the political/CONSTITUTIONAL AND civil/STATUTORY status of a human being respectively. These important distinctions are recognized in Black's Law Dictionary:

> ***"nationality** – That quality or character which arises from the fact of a person's belonging to a nation or state. **Nationality determines the political status** of the individual, especially with reference to allegiance; while **domicile determines his civil [statutory] status**. Nationality arises either by birth or by naturalization."*
> *[Black's Law Dictionary (6th ed. 1990), p. 1025]*

President Barrack Obama affirmed our assertions that there are TWO components to your citizenship status at the end of his State of the Union address given on 2/12/2013:

President Obama Recognizes separate POLITICAL and LEGAL components of citizenship, Exhibit #01.013 EXHIBITS PAGE: http://sedm.org/Exhibits/ExhibitIndex.htm DIRECT LINK: http://sedm.org/Exhibits/EX01.013.wmv

The U.S. Supreme Court also confirmed the above when they held the following. Note the key phrase "political jurisdiction", which is NOT the same as legislative/statutory jurisdiction. One can have a political status of "citizen" under the constitution while NOT being a "citizen" under federal statutory law because not domiciled on federal territory. To have the status of "citizen" under federal statutory law, one must have a domicile on federal territory:

> *"This section contemplates two sources of citizenship, and two sources only,-birth and naturalization. The persons declared to be citizens are 'all persons born or naturalized in the United States, and* ***subject to the jurisdiction thereof.****' The evident meaning of these last words is, not merely subject in some respect or degree to the jurisdiction of the United States,* ***but completely subject to their [plural, not singular, meaning states of the Union] political jurisdiction, and owing them [the state of the Union] direct and immediate allegiance****. And the words relate to the time of birth in the one case, as they do [169 U.S. 649, 725] to the time of naturalization in the other. Persons not thus subject to the jurisdiction of the United States at the time of birth cannot become so afterwards, except by being naturalized, either individually, as by proceedings under the naturalization acts, or collectively, as by the force of a treaty by which foreign territory is acquired."*
> *[U.S. v. Wong Kim Ark, 169 U.S. 649, 18 S.Ct. 456; 42 L.Ed. 890 (1898)]*

> *"This right to protect persons having a domicile, though not native-born or naturalized citizens, rests on the firm foundation of justice, and the* ***claim to be protected*** *is earned by considerations which the protecting power is not at liberty to disregard. Such domiciled citizen pays the same price for his protection as native-born or naturalized citizens pay for theirs.* ***He is under the bonds of allegiance to the country of his residence, and, if he breaks them, incurs the same penalties. He owes the same obedience to the civil laws.*** *His property is, in the same way and to the same extent as theirs, liable to contribute to the support of the Government. In nearly all respects, his and their condition as to the duties and burdens of Government are undistinguishable."*
> *[Fong Yue Ting v. United States, 149 U.S. 698 (1893)]*

Notice in the last quote above that they referred to a foreign national born in another country as a "citizen". THIS is the REAL "citizen" (a domiciled foreign national) that judges and even tax withholding documents are really talking about, rather than the "national" described in the constitution.

Domicile and NOT nationality is what imputes a status under the tax code and a liability for tax. Tax liability is a civil liability that attaches to civil statutory law, which in turn attaches to the person through their choice of domicile. When you CHOOSE a domicile, you elect or nominate a protector, which in turn gives rise to an obligation to pay for the civil protection demanded. The method of providing that protection is the civil laws of the municipal (as in COUNTY) jurisdiction that you chose a domicile within.

> *"domicile. A person's legal home. That place where a man has his true, fixed, and* ***permanent home*** *and principal establishment, and to which whenever he is absent he has* ***the intention of*** *returning. Smith v. Smith, 206 Pa.Super. 310, 213 A.2d. 94. Generally, physical presence within a state and* ***the intention*** *to make it one's home are the requisites of establishing a "domicile" therein. The permanent residence of a person or the place to which he* ***intends to*** *return even though he may actually reside elsewhere. A person may have more than one residence but only one domicile.* ***The legal domicile of a person is important since it, rather than the actual residence, often controls the jurisdiction of the taxing authorities and determines where a person may exercise the privilege of voting and other legal rights and privileges."***
> *[Black's Law Dictionary, Sixth Edition, p. 485]*

Later versions of Black's Law Dictionary attempt to cloud this important distinction between nationality and domicile in order to unlawfully and unconstitutionally expand federal power into the states of the Union and to give federal judges unnecessary and unwarranted discretion to kidnap people into their jurisdiction using false presumptions. They do this by trying to make you believe that domicile and nationality are equivalent, when they are EMPHATICALLY NOT. Here is an example:

> ***"nationality*** *– The relationship between a citizen of a nation and the nation itself, customarily involving allegiance by the citizen and protection by the state; membership in a nation.* ***This term is often used synonymously with citizenship****. "*
> *[Black's Law Dictionary (8th ed. 2004)]*

We establish later in section 10 that federal courts regard the term "citizenship" as equivalent to domicile, meaning domicile on federal territory.

> ***"The words "citizen" and citizenship," however, usually include the idea of domicile, Delaware, L. & W.R.Co. v. Petrowsky, C.C.A.N.Y., 250 F. 554, 557;"***
> *[Black's Law Dictionary, Fourth Edition, p. 310]*

Hence:

1. The term "citizenship" is being stealthily used by government officials as a magic word that allows them to hide their presumptions about your status. Sometimes they use it to mean NATIONALITY, and sometimes they use it to mean DOMICILE.
2. The use of the word "citizenship" should therefore be AVOIDED when dealing with the government because its meaning is unclear and leaves too much discretion to judges and prosecutors.
3. When someone from any government uses the word "citizenship", you should:
 3.1. Tell them NOT to use the word, and instead to use "nationality" or "domicile".
 3.2. Ask them whether they mean "nationality" or "domicile".
 3.3. Ask them WHICH political subdivision they imply a domicile within: federal territory or a constitutional state of the Union.

A failure to either understand or apply the above concepts can literally mean the difference between being a government pet in a legal cage called a franchise, and being a free and sovereign man or woman.

3.1 LEGAL/STATUTORY status v. POLITICAL/CONSTITUTIONAL Status

The following cite from U.S. v. Wong Kim Ark confirms our research on citizenship, by admitting that there are TWO components that determine citizenship status: NATIONALITY and DOMICILE.

> *In Udny v. Udny (1869) L. R. 1 H. L. Sc. 441, the point decided was one of inheritance, depending upon the question whether the domicile of the father was in England or in Scotland, he being in either alternative a British subject. Lord Chancellor Hatherley said: '**The question of naturalization and of allegiance is distinct from that of domicile.**' Page 452. Lord Westbury, in the passage relied on by the counsel for the United States, began by saying: '**The law of England, and of almost all civilized countries, ascribes to each individual at his birth two distinct legal states or conditions,—one by virtue of which he becomes the subject [NATIONAL] of some particular country, binding him by the tie of natural allegiance, and which may be called his political status; another by virtue of which he has ascribed to him the character of a citizen of some particular country, and as such is possessed of certain municipal rights, and subject to certain obligations, which latter character is the civil status or condition of the individual, and may be quite different from his political status.**' And then, **while maintaining that the civil status is universally governed by the single principle of domicile (domicilium), the criterion established by international law for the purpose of determining civil status, and the basis on which 'the personal rights of the party—that is to say, the law which determines his majority or minority, his marriage, succession, testacy, or intestacy— must depend,' he yet distinctly recognized that a man's political status, his country (patria), and his 'nationality,**—that is, natural allegiance,'—'may depend on different laws in different countries.' Pages 457, 460. He evidently used the word 'citizen,' not as equivalent to 'subject,' but rather to 'inhabitant'; and had no thought of impeaching the established rule that all persons born under British dominion are natural-born subjects.*
> *[United States v. Wong Kim Ark, 169 U.S. 649, 18 S.Ct. 456, 42 L.Ed. 890 (1898) ;*
> *SOURCE: http://scholar.google.com/scholar_case?case=3381955771263111765]*

So:

1. The Constitution is a POLITICAL and not a LEGAL document. It therefore determines your POLITICAL status rather than your LEGAL/STATUTORY status.
2. Nationality determines your POLITICAL STATUS and whether you are a "subject" of the country.
3. DOMICILE determines your CIVIL and LEGAL and STATUTORY status. It DOES NOT determine your POLITICAL status or nationality.
4. Being a constitutional "citizen" per the Fourteenth Amendment is associated with nationality, not domicile.
5. Allegiance is associated with nationality, not domicile. Allegiance is what makes one a "subject" of a country.
6. Your municipal rights, meaning statutory CIVIL rights, associate with your choice of legal domicile, not your nationality or what country you are a subject of or have allegiance to.
7. Being a statutory "citizen" is associated with domicile, not nationality, because it is associated with being an inhabitant RATHER than a "subject".

8. A statutory "alien" under most acts of Congress is a person with a foreign DOMICILE, not a foreign NATIONALITY. By "foreign", we mean:
 8.1. Constitutional context: OUTSIDE of COUNTRY United States*.
 8.2. Statutory context: OUTSIDE of federal territory and the exclusive federal jurisdiction, and NOT outside the Constitutional United States*** (states of the Union).

The above is also completely consistent with the following article on this website:

Why Domicile and Becoming a "Taxpayer" Require Your Consent, Form #05.002 http://sedm.org/Forms/FormIndex.htm

We know that "nationality" per 8 U.S.C. §1101(a)(21) and 14th Amendment Constitutional citizenship are NOT the same. So, much like the "Chicken and the Egg" analogy -- what happens first, nationality or 14th Amendment Constitutional citizenship? Or does that occur simultaneously? It might at first appear from the analysis in this pamphlet that 14th Amendment Constitutional citizenship also applies to inhabitants of unincorporated and unorganized territory, but as pointed out by the court in Wong Kim Ark, supra., the domicile determines civil status, thus 14th Amendment Constitutional citizenship on U.S. Territory is inferior to that of 14th Amendment Constitutional citizenship on the Union -- but only by virtue of domicile. Change domicile and improve/denigrate your legal status either for the better or worse, as the case may be.

"Nationality" therefore cannot be the same thing as Constitutional citizenship, because citizens of American Samoa and Swains Island are not Constitutional Citizens according to the courts, yet they have the following statuses:

1. Political Status: "national" of the United States* - 8 U.S.C. §1101(a)(21).
2. Civil Status: "national of the United States**" - 8 U.S.C. §1101(a)(22) .

So it must be concluded that nationality and Constitutional (e.g. Fourteenth Amendment) citizenship are NOT the same.

From the above article and the Supreme Court's own analysis above, it follows that that a "national of the United States***" (state citizen) cannot be a "citizen" or "resident" under federal statutory law without one of the following two conditions existing:

1. You are physically present on federal territory AT SOME POINT, AND legally domiciled there. This means the government as moving party has the burden of proving that you submitted a form indicating a "permanent address" in the statutory but not constitutional "United States", and that YOU MEANT that the "United States" indicated meant federal territory not within any state of the Union. This is impossible if you attach the following to every government form that you sign:

Affidavit of Citizenship, Domicile, and Tax Status, Form #02.001 http://sedm.org/Forms/FormIndex.htm

2. You are representing a government entity that is domiciled on federal territory, such as a federal and not state corporation, as a public officer, for instance. Hence, Federal Rule of Civil Procedure 17(b) MUST apply. BUT they must produce evidence that you are lawfully occupying said public office and may not PRESUME that you do. Simply citing a provision of the I.R.C. and thereby claiming the "benefits" of that franchise, for instance, is insufficient to CREATE said office. It must be created by some OTHER means because the I.R.C. doesn't authorize the CREATION of any new public offices, but regulates EXISTING public offices.

There is NO OTHER WAY for federal law from a legislatively foreign jurisdiction to be applied against a state citizen domiciled within a constitutional and not statutory state. Option 2 is the method most frequently used to legally but not physically KIDNAP most people and move their legal identity to federal territory.

For diagrams that depict how domicile and nationality interact to determine the legal status of a person, see section 11 and following later.

3.2 Statutory citizen/resident status is entirely voluntary and discretionary. Constitutional citizen/nationality status is NOT

An important distinction that needs to be understood by the reader is that no one can force you to acquire or retain a domicile anywhere, including within the federal zone or to accept the civil status that attaches to it of statutory "citizen or resident". That status is entirely voluntary and discretionary. That is one of the conclusions of the following pamphlet.

Your Exclusive Right to Declare or Establish Your Civil Status, Form #13.008 http://sedm.org/Forms/FormIndex.htm

Why? Because the LEGAL status you use to describe yourself is how you:

1. Contract with other parties, including the government. The purpose of establishing government, in fact, is to protect your right to both CONTRACT and NOT CONTRACT as you see fit. You don't become a "person" under a private contract until you SIGN or consent in some way to the contract or agreement.
2. Politically and legally associate with groups you choose to associate with. The right of freedom of association and freedom from COMPELLED association is protected by the First Amendment to the United States Constitution.
3. Choose or nominate the civil government that you want to protect your right to life, liberty, and property.
 3.1. Choosing a domicile is an act of political association that has legal consequences in which you nominate a specific municipal government to protect your rights and property.
 3.2. If you never nominate such a government, then you retain the right to protect yourself and are not entitled to the protection of a specific municipal government protector.

 This is why the Declaration of Independence says that all just powers of government are derived from the ***consent*** of the people. Those who don't consent can't be civilly governed. Yes, they are still liable for criminal infractions because the criminal laws do not require consent. Civil laws, however DO require consent of the governed, and all such civil laws attach to and associate with your choice of legal domicile.

Domicile is how you exercise right numbers 2 and 3 above. You can't be a *statutory* citizen without CHOOSING and CONSENTING TO a civil domicile in the federal zone. You get to decide where your domicile is and you can change it at ANY TIME! If you don't want to be a statutory citizen under federal law, change your domicile to a state of the Union and correctly reflect that fact on government forms and correspondence.

The legal definition of "citizen" confirms that the status is voluntary. Notice the phrase "in their associated capacity", which is a First Amendment, voluntary act of political association. What the government doesn't want you to know is WHAT status would you describe yourself with if you DO NOT consent to volunteer and yet did not expatriate your nationality to become a constitutional alien?

> ***citizen.*** *One who, under the Constitution and laws of the United States[***], or of a particular state, is a* ***member of the political community, owing allegiance and being entitled to the enjoyment of full civil rights.*** *All persons born or naturalized in the United States[***], and subject to the jurisdiction thereof, are citizens of the United States[***] and of the state wherein they reside. U.S. Const., 14th Amend. See Citizenship.*

> ***"Citizens" are members of a political community who, in their associated capacity, have*** *established or* ***submitted themselves to the dominion of a government [by giving up their rights] for the promotion of their general welfare and the protection of their individual as well as collective rights.*** *Herriott v. City of Seattle, 81 Wash.2d. 48, 500 P.2d. 101, 109.*
> *[Black's Law Dictionary, Sixth Edition, p. 244]*

The "full civil rights" they are talking about above are enforced through municipal CIVIL law, which in turn can only attach to one's choice of legal domicile. Here is how the courts describe this process of volunteering to become a statutory "citizen":

> ***"The people of the United States resident within any State are subject to two governments: one State, and the other National; but there need be no conflict between the two. The powers which one possesses, the other does not. They are established for different purposes, and have separate jurisdictions.*** *Together they make one whole, and furnish the people of the United States with a complete government, ample for the protection of all their rights at home and abroad. True, it may sometimes happen that a person is amenable to both jurisdictions for one and the same act. Thus, if a marshal of the United States is unlawfully resisted while executing the process of the courts within a State, and the resistance is accompanied by an assault on the officer, the sovereignty of the United States is violated by the resistance, and that of the State by the breach of peace, in the assault. So, too, if one passes counterfeited coin of the United States within a State, it may be an offence against the United States and the State: the United States, because it discredits the coin; and the State, because of the fraud upon him to whom it is passed. This does not, however, necessarily imply that the two governments possess powers in common, or bring them into conflict with each other. It is the natural consequence of a*

citizenship [92 U.S. 542, 551] which owes allegiance to two sovereignties, and claims protection from both. ***The citizen cannot complain, because he has voluntarily submitted himself to such a form of government.*** ***He owes allegiance to the two departments, so to speak, and within their respective spheres must pay the penalties which each exacts for disobedience to its laws. In return, he can demand protection from each within its own jurisdiction.****"*
[United States v. Cruikshank, 92 U.S. 542 (1875) [emphasis added]

If the status is voluntary, then there MUST be some way to "un-volunteer", right? How is it that the "citizen" CANNOT complain? Because if he DIDN'T voluntarily submit himself to a specific state or national government by choosing a civil domicile within that specific government and thereby become subject to the civil laws of that place, he wouldn't call himself a statutory "citizen" under the civil law to begin with! Instead, he would call himself or herself any of the following terms in relation to that specific government and on all government forms he or she fills out. This is the HUGE secret that no one in the government or the courts want to talk about, in fact and will HIDE at every opportunity, because it renders them COMPLETELY powerless to govern you civilly.

1 "non-citizen national" for those born in and domiciled anywhere in United States***.
2 "nonresident"
3 "transient foreigner"
4 "stateless person"
5 "in transitu"
6 "transient"
7 "sojourner"

The state courts recognize that calling oneself a "U.S. citizen" is voluntary and hence, that you can instead refer to yourself as simply a "non-citizen national" so as to avoid being confused with a statutory citizen as follows:

"[W]e find nothing…which requires that a citizen of a state must also be a citizen of the United States, if no question of federal rights or jurisdiction is involved."
[Crosse v. Bd. of Supvrs of Elections, 221 A.2d. 431 (1966)]

The U.S. Department of State Foreign Affairs Manual also confirms that calling oneself a "U.S. citizen" or "citizen of the United States" is voluntary with the following language:

"7 Foreign Affairs Manual (F.A.M.), Section 012(a)

a. U.S. Nationals Eligible for Consular Protection and Other Services:

Nationality is the principal relationship that connects an individual to a State. *International law recognizes the right of a State to afford diplomatic and consular protection to its* ***nationals*** *and to represent their interests.* ***Under U.S. law the term "national" is inclusive of citizens but "citizen" is not inclusive of nationals. All U.S. citizens are U.S. nationals.*** *Section 101(a)(22) INA (8 U.S.C. 1101(a)(22)) provides that the term "national of the United States" means (A) a citizen of the United States, or (B) a person who, though not a citizen of the United States, owes permanent allegiance to the United States. U.S. nationals are eligible for U.S. consular protection.*
[SOURCE: http://www.state.gov/documents/organization/86556.pdf]

Below is an example of a case involving a party who had no civil domicile in either a statutory "State", meaning federal territory, or a constitutional state of the Union, and hence was classified by the court as a "stateless person" who had to be dismissed from a class action lawsuit because he was BEYOND the civil jurisdiction of federal court.

In order to be a citizen of a State within the meaning of the diversity statute, a natural person must both be a citizen of the United States and be domiciled within the State. See Robertson v. Cease, 97 U.S. 646, 648-649 (1878) ; Brown v. Keene, 8 Pet. 112, 115 (1834) . The problem in this case is that Bettison, although a United States citizen, has no domicile in any State. He is therefore "stateless" for purposes of § 1332(a)(3). Subsection 1332(a)(2), which confers jurisdiction in the District Court when a citizen of a State sues aliens only, also could not be satisfied because Bettison is a United States citizen. [490 U.S. 829]

When a plaintiff sues more than one defendant in a diversity action, the plaintiff must meet the requirements of the diversity statute for each defendant or face dismissal. Strawbridge v. Curtiss, 3 Cranch 267 (1806) .{1}

> ***Here, Bettison's "stateless" status destroyed complete diversity under § 1332(a)(3), and his United States citizenship destroyed complete diversity under § 1332(a)(2)****. Instead of dismissing the case, however, the Court of Appeals panel granted Newman-Green's motion, which it had invited, to amend the complaint to drop Bettison as a party, thereby producing complete diversity under § 1332(a)(2). 832 F.2d. 417 (1987). The panel, in an opinion by Judge Easterbrook, relied both on 28 U.S.C. §1653 and on Rule 21 of the Federal Rules of Civil Procedure as sources of its authority to grant this motion. The panel noted that, because the guarantors are jointly and severally liable, Bettison is not an indispensable party, and dismissing him would not prejudice the remaining guarantors. 832 F.2d. at 420, citing Federal Rule of Civil Procedure 19(b). The panel then proceeded to the merits of the case, ruling in Newman-Green's favor in large part, but remanding to allow the District Court to quantify damages and to resolve certain minor issues.{2}*
> *[Newman-Green v. Alfonso Larrain, 490 U.S. 826 (1989)]*

Only those who are constitutional aliens WHEN PHYSICALLY PRESENT WITHIN A FOREIGN COUNTRY can be forced to submit themselves to the civil jurisdiction of that country absent their consent and voluntary choice of domicile. Those who are not constitutional aliens, such as a non-citizen nationals, CANNOT be forced and must consent to be governed by choosing a domicile. The U.S. Supreme Court describes the process of FORCING aliens into a privileged status to have a residence in that place and be subject to the civil laws as an "implied license":

> *The reasons for not allowing to other aliens exemption 'from the jurisdiction of the country in which they are found' were stated as follows: '**When private individuals of one nation [states of the Unions are "nations" under the law of nations] spread themselves through another as business or caprice may direct, mingling indiscriminately with the inhabitants of that other, or when merchant vessels enter for the purposes of trade, it would be obviously inconvenient and dangerous to society, and would subject the laws to continual infraction, and the government to degradation, if such individuals or merchants did not owe temporary and local allegiance, and were not amenable to the jurisdiction of the country.** Nor can the foreign sovereign have any motive for wishing such exemption. His subjects thus passing into foreign countries are not employed by him, nor are they engaged in national pursuits. Consequently, there are powerful motives for not exempting persons of this description from the jurisdiction of the country in which they are found, and no one motive for requiring it. **The implied license, therefore, under which they enter, can never be construed to grant such exemption.' 7 Cranch, 144.***

> *In short, the judgment in the case of The Exchange declared, as incontrovertible principles, that the jurisdiction of every nation within its own territory is exclusive and absolute, and is susceptible of no limitation not imposed by the nation itself; that all exceptions to its full and absolute territorial jurisdiction must be traced up to its own consent, express or implied; that upon its consent to cede, or to waive the exercise of, a part of its territorial jurisdiction, rest the exemptions from that jurisdiction of foreign sovereigns or their armies entering its territory with its permission, and of their foreign ministers and public ships of war; and that **the implied license, under which private individuals of another nation enter the territory and mingle indiscriminately with its inhabitants, for purposes of business or pleasure, can never be construed to grant to them an exemption from the jurisdiction of the country in which they are found.** See, also, Carlisle v. U.S. (1872) 16 Wall. 147, 155; Radich v. Hutchins (1877) 95 U.S. 210; Wildenhus' Case (1887) 120 U.S. 1, 7 Sup.Ct. 385; Chae Chan Ping v. U.S. (1889) 130 U.S. 581, 603, 604, 9 Sup.Ct. 623.*
> *[United States v. Wong Kim Ark, 169 U.S. 649, 18 S.Ct. 456, 42 L.Ed. 890 (1898)]*

If you are not physically present in a legislatively foreign civil jurisdiction, even if you are a constitutional alien in relation to that jurisdiction, then the above method of enfranchisement and enslavement CANNOT be employed. Only a corrupt government can or would waive these rules and make EVERYONE privileged. Furthermore, under the concept of equal protection and equal treatment, if they can force anyone to be subject to THEIR civil laws, then you are allowed to make your own law and force ANYONE else, including the court, to be subject to YOUR laws against their consent.

NATIONALITY, on the other hand, is NOT discretionary. Nationality is a product of the circumstances of your birth or the requirements for naturalization, which you in turn have no control over and cannot change. One can be a "national" of a country under 8 U.S.C. §1101(a)(21), have "nationality", and call themselves a constitutional citizen and statutory "national" WITHOUT being a statutory citizen because their **political** status is separate and distinct from their **civil legal** status. YES, you can "expatriate" your constitutional citizenship and abandon your nationality, so GIVING UP your nationality is therefore discretionary.

> *"**Expatriation is the voluntary renunciation or abandonment of nationality and allegiance.**" Perkins v. Elg., 1939, 307 U.S. 325, 59 S.Ct. 884, 83 L.Ed. 1320. In order to be relieved of the duties of allegiance, consent of the sovereign is required. Mackenzi v. Hare, 1915, 239 U.S. 299, 36 S.Ct. 106, 60 L.Ed. 297. Congress has provided that the right of expatriation is a natural and inherent right of all people, and has further made a legislative declaration as to what acts shall amount to an exercise of such right. The enumerated methods set out in the chapter are expressly made the sole means of expatriation."*

> *"...municipal [civil] law determines how citizenship may be acquired..."*

> *"The renunciations not being given a result of free and intelligent choice, but rather because of mental fear, intimidation and coercion, they were held void and of no effect."*
> *[Tomoya Kawakita v. United States, 190 F.2d. 506 (1951)]*

But acquiring nationality and constitutional citizen status, for most of us, is NOT discretionary in most cases because:

1. You have no control over WHERE you were born or the citizenship of your parents at the time of birth.
2. You HAVE to be a "national" and constitutional citizen of SOME country on Earth. Otherwise, you would be an "alien" in EVERY country on Earth akin to a fugitive whose rights would be protected by NO ONE.

If you would like more information about the subject of domicile, see:

1. *Why Domicile and Becoming a "Taxpayer" Require Your Consent*, Family Guardian Fellowship http://famguardian.org/Subjects/Taxes/Remedies/DomicileBasisForTaxation.htm
2. *Why Domicile and Becoming a "Taxpayer" Require Your Consent*, Form #05.002 http://sedm.org/Forms/FormIndex.htm

3.3 Comparison

Congress enjoys two species of legislative power, and each has its own "nationals":

> *"It is clear that Congress, as a legislative body, exercise two species of legislative power: the one, limited as to its objects, but extending all over the Union: the other, an absolute, exclusive legislative power over the District of Columbia. The preliminary inquiry in the case now before the Court, is, by virtue of which of these authorities was the law in question passed?"*
> *[Cohens v. Virginia,, 19 U.S. 264, 6 Wheat. 265; 5 L.Ed. 257 (1821)]*

The above distinction is a product of what is called the separation of powers doctrine that is the heart of the United States Constitution and which is thoroughly described in the document below:

Government Conspiracy to Destroy the Separation of Powers, Form #05.023 http://sedm.org/Forms/FormIndex.htm

Based on the above and the foregoing section, there are TWO mutually exclusive and independent types of "nationals". The U.S. Supreme Court sternly warned Americans not to confuse the two political jurisdictions when it held the following:

> *"The idea prevails with some, indeed it has found expression in arguments at the bar, that* ***we have in this country substantially two national governments; one to be maintained under the Constitution, with all of its restrictions; the other to be maintained by Congress outside the independently of that instrument, by exercising such powers [of absolutism] as other nations of the earth are accustomed to.. I take leave to say that, if the principles thus announced should ever receive the sanction of a majority of this court, a radical and mischievous change in our system of government will result. We will, in that event, pass from the era of constitutional liberty guarded and protected by a written constitution into an era of legislative absolutism.. It will be an evil day for American liberty if the theory of a government outside the supreme law of the land finds lodgment in our constitutional jurisprudence. No higher duty rests upon this court than to exert its full authority to prevent all violation of the principles of the Constitution.****"*
> *[Downes v. Bidwell, 182 U.S. 244 (1901)]*

Prior to the Fourteenth Amendment, Constitutional citizenship derived from and was dependent being what the U.S. Supreme Court also called a "citizens of the states" or state citizens.

> *"It would be the vainest show of learning to attempt to prove by citations of authority, that up to the adoption of the recent Amendments [the Thirteenth and Fourteenth Amendment], no claim or pretense was set up that those rights depended on the Federal government for their existence or protection, beyond the very few express limitations which the Federal Constitution imposed upon the states—such as the prohibition against ex post facto laws, bill of attainder, and laws impairing the obligation of contracts.* ***But with the exception of these and a few other restrictions, the entire domain of the privileges and immunities of citizens of the states, as above defined, lay within the constitutional and legislative power of the states, and without that of the Federal government. Was it the purpose of the 14th Amendment, by the simple declaration that no state should make or enforce any law which shall abridge the privileges and immunities of citizens of the United States, to transfer the security and protection of all the civil rights which we have mentioned, from the states to the Federal government?*** And where it is declared that Congress shall have the power to enforce that article, was it

intended to bring within the power of Congress the entire domain of civil rights heretofore belonging exclusively to the states?

> ***We are convinced that no such result was intended by the Congress which proposed these amendments, nor by the legislatures of the states, which ratified them. Having shown that the privileges and immunities relied on in the argument are those which belong to citizens of the states as such, and that they are left to the state governments for security and protection, and not by this article placed under the special care of the Federal government, we may hold ourselves excused from defining the privileges and immunities of citizens of the United States which no state can abridge, until some case involving those privileges may make it necessary to do so."***
> *[Slaughter-House Cases, 83 U.S. (16 Wall.) 36, 21 L.Ed. 394 (1873) , emphasis added]*

After the Fourteenth Amendment, constitutional citizenship became the primary citizenship and a person not domiciled in a constitutional state is a "national" but not a state citizen:

> *"The first of these questions is one of vast importance, and lies at the very foundations of our government.* ***The question is now settled by the fourteenth amendment itself, that citizenship of the United States is the primary citizenship in this country; and that State citizenship is secondary and derivative, depending upon citizenship of the United States and the citizen's place of residence. The States have not now, if they ever had, any power to restrict their citizenship to any classes or persons.*** *A citizen of the United States has a perfect constitutional right to go to and reside in any State he chooses, and to claim citizenship therein, [83 U.S. 36, 113] and an equality of rights with every other citizen; and the whole power of the nation is pledged to sustain him in that right. He is not bound to cringe to any superior, or to pray for any act of grace, as a means of enjoying all the rights and privileges enjoyed by other citizens. And when the spirit of lawlessness, mob violence, and sectional hate can be so completely repressed as to give full practical effect to this right, we shall be a happier nation, and a more prosperous one than we now are.* ***Citizenship of the United States ought to be, and, according to the Constitution, is, a surt and undoubted title to equal rights in any and every States in this Union****, subject to such regulations as the legislature may rightfully prescribe. If a man be denied full equality before the law, he is denied one of the essential rights of citizenship as a citizen of the United States."*
> *[Slaughter-House Cases, 83 U.S. 36 (1873)]*

> *"There are, then, under our republican form of government, two classes of citizens, one of the United States[*] and one of the state.* ***One class of citizenship may exist in a person, without the other, as in the case of a resident of the District of Columbia; but both classes usually exist in the same person.*** *"*
> *[Gardina v. Board of Registrars, 160 Ala. 155]*

Statutory citizenship, however, does not derive from citizenship under the constitution of a state of the Union. Statutory citizenship equates with the status of being a "national of the United States**". The types of "citizens" spoken of in the United States Constitution are ONLY biological people and not artificial creations such as corporations. Here is what the Annotated Fourteenth Amendment published by the Congressional Research Service has to say about this subject:

> ***"Citizens of the United States within the meaning of this Amendment must be natural and not artificial persons; a corporate body is not a citizen of the United States****.14*

> *14 Insurance Co. v. New Orleans, 13 Fed.Cas. 67 (C.C.D.La. 1870). Not being citizens of the United States, corporations accordingly have been declared unable "to claim the protection of that clause of the Fourteenth Amendment which secures the privileges and immunities of citizens of the United States against abridgment or impairment by the law of a State." Orient Ins. Co. v. Daggs, 172 U.S. 557, 561 (1869) . This conclusion was in harmony with the earlier holding in Paul v. Virginia, 75 U.S. (8 Wall.) 168 (1869), to the effect that corporations were not within the scope of the privileges and immunities clause of state citizenship set out in Article IV, Sec. 2. See also Selover, Bates & Co. v. Walsh, 226 U.S. 112, 126 (1912) ; Berea College v. Kentucky, 211 U.S. 45 (1908) ; Liberty Warehouse Co. v. Tobacco Growers, 276 U.S. 71, 89 (1928) ; Grosjean v. American Press Co., 297 U.S. 233, 244 (1936) .*

> *[Annotated Fourteenth Amendment, Congressional Research Service.*
> *SOURCE: http://www.law.cornell.edu/anncon/html/amdt14a_user.html#amdt14a_hd1]*

Fourteenth Amendment Conspiracy Theorists who deny that they are "citizens of the United States***" as described in the Fourteenth Amendment, indirectly, are admitting that the ONLY thing they can be or are is a corporation or artificial entity. Why? Because:

1. There are only two types of Americans citizens: Statutory and Constitutional.

2. The ONLY one of the two types of "citizens" who is, in fact, expressly identified by the U.S. Supreme Court as a human being and emphatically NOT an artificial entity or corporation IS a constitutional or Fourteenth Amendment "citizen of the United States***".
3. If you are born or naturalized here and deny being a constitutional citizen, the only other thing you can be is a statutory citizen.

We talk about this common freedom fighter fallacy in more detail later in section 17.4. It seems truly ironic that ignorant freedom lovers who don't read the law and who even want to avoid being associated with a corporation would do that to themselves, don't you think? Some people might try to escape this logic by saying that there are TWO types of Constitutional citizens: "citizen of the United States***" as identified in the Fourteenth Amendment and the "Citizen" of the original Constitution. However, the following case holds that the Fourteenth Amendment "citizen of the United States***" is a SUPERSET that includes EVERYONE, including the white capital "C" males of the original constitution, so this assertion is clearly flawed:

> ***"By the language 'citizens of the United States' was meant all such citizens; and by 'any person' was meant all persons within the jurisdiction of the state. No distinction is intimated on account of race or color.*** *This court has no authority to interpolate a limitation that is neither expressed nor implied. Our duty is to execute the law, not to make it.* ***The protection provided was not intended to be confined to those of any particular race or class, but to embrace equally all races, classes, and conditions of men.****' Id. 128, 129.*
>
> ***[****. . .]*
>
> ***The fourteenth amendment, by the language, 'all persons born in the United States, and subject to the jurisdiction thereof,' was intended to bring all races, without distinction of color, within the rule which prior to that time pertained to the white race.****"*
> ***[****United States v. Wong Kim Ark, 169 U.S. 649, 18 S.Ct. 456, 42 L.Ed. 890 (1898)]*

The U.S. Supreme Court also described WHAT is meant by "subject to the jurisdiction", and it means DOMICILED somewhere within the **country** or what they call the "territory of the nation" rather than the statutory "United States":

> *"The amendment, in clear words and in manifest intent, includes the children born within the territory of the United States of all other persons, of whatever race or color, domiciled within the United States.* ***Every citizen or subject of another country, while domiciled here [the COUNTRY, not the statutory "United States"], is within the allegiance and the protection, and consequently subject to the jurisdiction, of the United States[***].*** *His allegiance to the United States is direct and immediate, and, although but local and temporary, continuing only so long as he remains within our territory, is yet, in the words of Lord Coke in Calvin's Case, 7 Coke, 6a, 'strong enough to make a natural subject, for, if he hath issue here, that issue is a natural-born subject'; and his child, as said by Mr. Binney in his essay before quoted, '****If born in the country, is as much a citizen as the natural-born child of a citizen, and by operation of the same principle.****' It can hardly be denied that an alien is completely subject to the* ***political jurisdiction*** *of the country in which he resides, seeing that, as said by Mr. Webster, when secretary of state, in his report to the president on Thrasher's case in 1851, and since repeated by this court: 'Independently of a residence with intention to continue such residence; independently of any domiciliation; independently of the taking of any oath of allegiance, or of renouncing any former allegiance,—****it is well known that by the public law an alien, or a stranger born, for so long a time as he continues within the dominions of a foreign government, owes obedience to the laws of that government, and may be punished for treason or other crimes as a native-born subject might be, unless his case is varied by some treaty stipulations.****' Executive Documents H. R. No. 10, 1st Sess. 32d Cong. p. 4; 6 Webster's Works, 526; U.S. v. Carlisle, 16 Wall. 147, 155; Calvin's Case, 7 Coke, 6a; Ellesmere, Postnati, 63; 1 Hale, P. C. 62; 4 Bl.Comm. 74, 92."*
> *[United States v. Wong Kim Ark, 169 U.S. 649, 18 S.Ct. 456, 42 L.Ed. 890 (1898)]*

The case below is talking about constitutional and not statutory citizenship:

> *"As the mind cannot conceive an army without the men to compose it, on the face of the Constitution the objection that it does not give power to provide for such men would seem to be too frivolous for further notice. It is said, however, that since* ***under the Constitution as originally framed state citizenship was primary and United States citizenship but derivative and dependent thereon, therefore the power conferred upon Congress to raise armies was only coterminous with United States citizenship and could not be exerted so as to cause that citizenship to lose its dependent character and dominate state citizenship.*** *But the proposition simply denies to Congress the power to raise armies which the Constitution gives. That power by the very terms of the Constitution, being delegated, is supreme. Article 6. In truth the contention simply assails the wisdom of the framers of the Constitution in conferring authority on Congress and in not retaining it as it was under the Confederation in the several states."*
> *[*Arver v. United States, 245 U.S. 366 (1918)*]*

Below are a few additional case cites that prove that those who are NOT domiciled in a Constitutional state of the Union but domiciled SOMEWHERE in the United States* such as those domiciled on federal territory in the District of Columbia, are Statutory and not Constitutional citizens:

> *"... citizens of the District of Columbia were not granted the privilege of litigating in the federal courts on the ground of diversity of citizenship. Possibly no better reason for this fact exists than such citizens were not thought of when the judiciary article [III] of the federal Constitution was drafted. ...* ***citizens of the United States[**] ... were also not thought of; but in any event a citizen of the United States[**], who is not a citizen of any state, is not within the language of the [federal] Constitution.***
> *[Pannill v. Roanoke, 252 F. 910, 914]*

> *"There are, then, under our republican form of government, two classes of citizens, one of the United States[***] and one of the state.* ***One class of citizenship may exist in a person, without the other, as in the case of a resident of the District of Columbia; but both classes usually exist in the same person.****"*
> *[Gardina v. Board of Registrars, 160 Ala. 155]*

Below is a table comparing the *two* contexts to make the differences perfectly clear. We will build on these distinctions throughout the remainder of this pamphlet.

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Table 2: Statutory v. Constitutional "Citizens" compared

#	*Characteristic*	*"Statutory" citizen or resident*	*"Constitutional" citizen or resident*
1	Status of "person" holding this status	Artificial being OR human beings. All these "citizens" are public officers in the government partaking of government franchises.	Human being ONLY and NOT artificial entities or corporations. See Insurance Co. v. New Orleans, 13 Fed. Cas. 67 (C.C.D.La. 1870); Orient Ins. Co. v. Daggs, 172 U.S. 557, 561 (1869); Paul v. Virginia, 75 U.S. (8 Wall.) 168 (1869); Selover, Bates & Co. v. Walsh, 226 U.S. 112, 126 (1912) ; Berea College v. Kentucky, 211 U.S. 45 (1908) ; Liberty Warehouse Co. v. Tobacco Growers, 276 U.S. 71, 89 (1928) ; Grosjean v. American Press Co., 297 U.S. 233, 244 (1936).
2	Nature of this status	LEGAL status under statutory civil law	POLITICAL status under the Constitution
3	Status created by	Congressional grant by statute (public right)	We the People in the Constitution
4	Status is	A privilege/franchise	1. A right that cannot be taken away, once granted. 2. A privilege for permanent residents who apply for it but not for those who ALREADY have it.
5	Type of jurisdiction created	Legislative/statutory jurisdiction	Political jurisdiction
6	Jurisdiction called	"Subject to ITS jurisdiction" in 26 C.F.R. §1.1-1(c)	"Subject to THE jurisdiction" in the Fourteenth Amendment
7	"citizen" defined in	8 U.S.C. §1401 26 C.F.R. §1.1-1(c) 26 C.F.R. §31.3121-1(e);	1. Fourteenth Amendment, Section 1 2. 8 U.S.C. §1101(a)(21)
8	Domicile located in	Federal statutory "State" (territory) as defined in 4 U.S.C. §110(d)	State of the Union, as used in the Constitution
9	A "U.S. person" as defined in 26 U.S.C. §7701(a)(30)?	Yes	No
10	May lawfully be issued a "Social Security Number" or "Taxpayer Identification Number"?	Yes	No (see: *Why It is Illegal for Me to Request or Use a "Taxpayer Identification Number"*, Form #04.205; http://sedm.org/Forms/FormIndex.htm)
11	Human beings called	1. "U.S. citizen" 2. "citizen of the United States**" 3. "national and citizen of the United States"	1. "national" but not a "citizen" 2. "national" (see 8 U.S.C. §1101(a)(21)) 3. "American citizen" (see 1 Stat. 477) 4. "citizen of the United States **of America**" (see 1 Stat. 477) 5. "citizen of the United States***"
12	"resident" (alien) defined in	8 U.S.C. §1101(a)(3) 26 U.S.C. §7701(b)(1)(A) 26 C.F.R. §1.1441-1(c)(3)(i)	Not defined
13	Sovereign?	No (A "SUBJECT citizen")	Yes

#	*Characteristic*	*"Statutory" citizen or resident*	*"Constitutional" citizen or resident*
14	"Rights" protected by	Enactments of Congress (privileges, not rights)	The Constitution of the United States, Bill of Rights State Constitution
15	Rights protected by the United States Constitution?	No (NO rights. Only legislative "privileges")	Yes
16	Rights protected by state Constitution?	No (NO rights. Only legislative "privileges")	Yes
17	Rights are	Revocable at the whim of Congress by legislative enactment and constitute "privileges"	Unalienable
18	Rights are surrendered by	No rights to surrender.	1. Incorrectly declaring yourself to be a statutory "U.S. Citizen" 2. Accepting any government benefit and thereby waiving "sovereign immunity" pursuant to 28 U.S.C. §1605(a)(2)
19	Definition of "United States" upon which term "citizen of the United States" depends, from previous section	United States**	United States*** United States of America
20	Allegiance is to	The *government* of the United States (Your PAGAN false God)	The *people* in states of the Union (Your neighbors: Love your neighbor. Exodus 20:12-17; Gal. 5:14)
21	Relationship to "national" government	Domestic	Foreign (See "Sovereign=Foreign": http://famguardian.org/Subjects/Freedom/Sovereignty/Sovereign=Foreign.htm)
22	Tax status	Statutory "U.S. citizen", as defined in 26 C.F.R. §1.1-1(c) and "U.S. person" (26 U.S.C. §7701(a)(30))	"Nonresident alien" as defined in 26 U.S.C. §7701(b)(1)(B)
23	File which federal tax form	IRS Form 1040	IRS Form 1040NR WITHOUT a TIN/SSN
24	Protected by Foreign Sovereign Immunities Act (F.S.I.A.) as an instrumentality of a foreign state? (see 28 U.S.C. §1602 through 1611)	No	Yes
25	A "stateless person" in federal court? (See definition of "State" found in 28 U.S.C. §1332(e))	No	Yes (States of the Union are not "States" within the meaning of 28 U.S.C. §1332(e))
26	Can vote in state elections	As a "voter"	As an "elector" who very carefully fills out the voter registration (See: http://famguardian.org/TaxFreedom/Instructions/3.13ChangeUSCitizenshipStatus.htm
27	Allegiance directed at	Federal "State", which is a federal corporation and the "government" that runs it	Constitutional "state", which is all the sovereign people within a territory

3.4 How one transitions from being a constitutional citizen to a statutory citizen/resident

The U.S. Supreme Court indirectly identified how one transitions from being a Constitutional to a Statutory citizen in the following holdings.

1. First they said and continue to say that a corporation is NOT a citizen as used in the CONSTITUTION:

> *"**That by no sound or reasonable interpretation, can a corporation-a mere faculty in law, be transformed into a citizen, or treated as a citizen [within the Constitution].** 2d. That the second section of the third article of the Constitution, investing the courts of the United States with jurisdiction in controversies between citizens of different States, cannot be made to embrace controversies to which corporations and not citizens are parties; and that the assumption, by those courts, of jurisdiction in such cases, must involve a palpable infraction of the article and section just referred to. 3d. That in the cause before us, the party defendant in the Circuit Court having been a corporation aggregate, created by the State of New Jersey, the Circuit Court could not properly take cognizance thereof; and, therefore, this cause should be remanded to the Circuit Court, with directions that it be dismissed for the want of jurisdiction."*
> *[Rundle v. Delaware & Raritan Canal Co., 55 U.S. 80 (1852)]*

2. But on the OTHER hand, they held that a corporation IS a citizen under federal STATUTORY law.

> *"...it is well settled that **a corporation created by a state is a citizen of the state, within the meaning of those provisions of the constitution and statutes of the United States which define the jurisdiction of the federal courts.** Railroad Co. v. Railroad Co., 112 U.S. 414 , 5 Sup.Ct.Rep. 208; Paul v. Virginia, 8 Wall. 168, 178; Pennsylvania v. Bridge Co., 13 How. 518."*
> *[State of Wisconsin v. Pelican Insurance Co., 127 U.S. 265 (1888)]*

So, in the CONSTITUTION, corporations or other artificial entities are NOT "citizens", but under federal STATUTORY law granting jurisdiction to federal courts, they ARE. And what statutory law is THAT? See 28 U.S.C. §1332:

> *TITLE 28 > PART IV > CHAPTER 85 > § 1332*
> *§ 1332. Diversity of citizenship; amount in controversy; costs*
>
> *(a) The district courts shall have original jurisdiction of all civil actions where the matter in controversy exceeds the sum or value of $75,000, exclusive of interest and costs, and is between—*
>
> *(1) **citizens of different States**;*
>
> *(2) **citizens of a State** and citizens or subjects of a foreign state;*
>
> *(3) **citizens of different States** and in which citizens or subjects of a foreign state are additional parties; and*
>
> *(4) a foreign state, defined in section 1603 (a) of this title, as plaintiff and citizens of a State or of different States.*
>
> *[. . .[*
>
> *(e) **The word "States", as used in this section, includes the Territories, the District of Columbia, and the Commonwealth of Puerto Rico.***

We can see from the above that the "State" they are talking about is NOT a constitutional state of the Union, but rather is identified in 28 U.S.C. §1332(e) as a federal territory NOT within any state of the Union. Hence, this is obviously a STATUTORY rather than CONSTITUTIONAL "State", and hence a STATUTORY and not CONSTITUTIONAL "citizen". Therefore, a person who claims to be a constitutional citizen or a human being could not partake of the statutory "privilege" granted by the above franchise. And YES, that is what it is: A franchise, "Congressionally created right", or "public right". All franchises presume that the actors, who are all public officers of "U.S. Inc.", are domiciled upon and therefore citizens of federal territory and NOT a state of the Union. This analysis also clearly explains the following, because you can't be a "citizen" under federal statutory law unless you are domiciled on federal territory not within a CONSTITUTIONAL state of the Union:

> *"**Domicile and citizen are synonymous in federal courts**, Earley v. Hershey Transit Co., D.C. Pa., 55 F.Supp. 981, 982; inhabitant, resident and citizen are synonymous, Standard Stoker Co. v. Lower, D.C.Md., 46 F.2d. 678, 683."*
> *[Black's Law Dictionary, 4th Ed., p. 311]*

All federal District Courts are Article IV, Section 3, Clause 2 franchise courts that manage government territory, property, and franchises. This is proven with thousands of pages of evidence in the following. Therefore, the ONLY type of "domicile" they could mean above is domicile on federal territory not within any state of the Union.

What Happened to Justice?, Form #06.012 http://sedm.org/ItemInfo/Ebooks/WhatHappJustice/WhatHappJustice.htm

We also know based on the previous section that corporations are not constitutional citizens, so they can't be "born or naturalized" like a human being. BUT they are "born or naturalized" by other methods to become citizens of a particular jurisdiction. For instance:

1. The act of FORMING a corporation gives it "birth", in a legal sense.
2. The place or jurisdiction that the corporation is legally formed becomes the effective civil domicile of that corporation.

> *"A corporation is a citizen, resident, or inhabitant of the state or country by or under the laws of which it was created, and of that state or country only."*
> *[19 Corpus Juris Secundum, Corporations, §886]*

3. A corporation can only be domiciled in ONE place at a time. Hence, it can only be a "citizen" of one jurisdiction at a time. The place where the corporate headquarters is located usually is treated as the effective domicile of the corporation.
4. If a corporation is formed in a specific state of the Union, then it is a statutory but not constitutional citizen in THAT state only and a statutory alien in every OTHER state AND also alien in respect to federal jurisdiction.

> *"A foreign corporation is one that derives its existence solely from the laws of another state, government, or country, and the term is used indiscriminately, sometimes in statutes, to designate either a corporation created by or under the laws of another state or a corporation created by or under the laws of a foreign country."*

> *"A federal corporation operating within a state is considered a domestic corporation rather than a foreign corporation.* ***The United States government is a foreign corporation with respect to a state.****"*
> *[19 Corpus Juris Secundum (C.J.S.), Corporations, §883 (2003)]*

Therefore, whenever you hear a judge or government prosecutor use the word "citizen" in federal court, they really are referring to domicile on federal territory not within any state of the Union. They are setting a trap to exploit your legal ignorance using "words of art". If they are referring to your "nationality" rather than whether you are a "citizen", they are referring to CONSTITUTIONAL citizenship and whether you are a "national" under 8 U.S.C. §1101(a)(21). If they ask you whether you are a "citizen" or a "citizen of the United States", you should always respond by asking:

1. Which of the three "United States" defined by the U.S. Supreme Court in Hooven & Allison Co. v. Evatt, 324 U.S. 652 (1945) do you mean?
2. Do you mean my nationality or my domicile in that place?

..and then you should say you are:

1. Domiciled outside the statutory "United States" and therefore a statutory alien in relation to federal jurisdiction.
2. A CONSTITUTIONAL citizen
3. NOT a STATUTORY citizen under any federal statute or regulation, including but not limited to 8 U.S.C. §1401, 26 U.S.C. §3121(e) , and 26 C.F.R. §1.1-1(c), all of which are STATUTORY and not CONSTITUTIONAL citizens:

> *TITLE 26 > Subtitle C > CHAPTER 21 > Subchapter C > § 3121*
> *§ 3121. Definitions*
>
> *(e) State, United States, and citizen*
>
> *For purposes of this chapter—*
>
> *(1) State*
>
> *The term "State" includes the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, and American Samoa.*

(2) United States [FEDERAL TERRITORY NOT PART OF ANY STATE]

The term "United States" when used in a geographical sense includes the Commonwealth of Puerto Rico, the Virgin Islands, Guam, and American Samoa.

We should also point out that 18 U.S.C. §911 makes it a CRIME for a constitutional citizen to claim to be the statutory citizen described in 8 U.S.C. §1401. People who begin as a "constitutional" citizen commonly commit this crime and unwittingly in most cases transform themselves into a privileged "statutory" citizen by performing any one of the following unlawful acts. These unlawful acts at least make them appear to be a legal "person" under federal law with an effective domicile in the District of Columbia/federal zone and a "SUBJECT citizen":

1. Opening up bank or financial accounts WITHOUT using the proper form, which is an AMENDED IRS Form W-8BEN. If you don't use this form or a derivative and invoke the protection of the law for your status as a nonresident alien not engaged in a "trade or business", the financial institution will falsely and prejudicially "presume" that you are both a statutory "U.S. citizen" pursuant to 8 U.S.C. §1401 and a "U.S. person" pursuant to 26 U.S.C. §7701(a)(30). To prevent this problem, see the following article:

 About IRS Form W-8BEN, Form #04.202
 http://sedm.org/Forms/FormIndex.htm

2. Filing the WRONG tax form, the IRS Form 1040, rather than the correct 1040NR form. This constitutes an election to become a "resident alien" engaged in a "trade or business", pursuant to 26 U.S.C. §7701(b)(4)(B) and 26 U.S.C. §6013(g) and (h). This can be prevented using the following form, for instance:

 Federal Nonresident Nonstatutory Claim for Return of Funds Unlawfully Paid to the Government-Long, Form #15.001
 http://sedm.org/Forms/FormIndex.htm

3. Applying for or accepting a government benefit, privilege, or license, such as Social Security, Medicare, or TANF. This would require them to fill out an SSA Form SS-5. 20 C.F.R. §422.104 requires that only those with a domicile on federal territory and who are therefore statutory "U.S. citizens" or "U.S. permanent residents", may apply for Social Security. This causes a waiver of sovereign immunity under 28 U.S.C. §1605(a)(2) and makes you into a "resident alien" who is a "public officer" within the government granting the privilege or benefit. See:

 Government Instituted Slavery Using Franchises, Form #05.030
 http://sedm.org/Forms/FormIndex.htm

4. Filling out a federal or state government form incorrectly by describing yourself as a statutory "U.S. citizen" pursuant to 8 U.S.C. §1401 rather than a "national but not a citizen" pursuant to 8 U.S.C. §1101(a)(21) and/or 8 U.S.C. §1452. This can be prevented by attaching the following form:

 Affidavit of Citizenship, Domicile, and Tax Status, Form #02.001
 http://sedm.org/Forms/FormIndex.htm

5. Improperly declaring your citizenship status to a federal court or not declaring it at all. If you describe yourself as a "citizen" or a "U.S. citizen" without further clarification, or if you don't describe your citizenship at all in court pleadings, then federal courts will self-servingly "presume" that you are a statutory rather than constitutional citizen pursuant to 8 U.S.C. §1401 who has a domicile on federal territory. This is also confirmed by the following authorities:

 > *"The term 'citizen', as used in the Judiciary Act with reference to the jurisdiction of the federal courts, is substantially synonymous with the term 'domicile'. Delaware, L. & W.R. Co. v. Petrowsky, 2 Cir., 250 F. 554, 557."*
 > *[Earley v. Hershey Transit Co., 55 F.Supp. 981, D.C.PA. (1944)]*

 > *"Domicile and citizen are synonymous in federal courts, Earley v. Hershey Transit Co., D.C. Pa., 55 F.Supp. 981, 982; inhabitant, resident and citizen are synonymous, Standard Stoker Co. v. Lower, D.C.Md., 46 F.2d. 678, 683."*
 > *[Black's Law Dictionary, Fourth Edition, p. 311]*

 To prevent this problem, use the following attachment to all the filings in the court:

 Federal Pleading/Motion/Petition Attachment, Litigation Tool #01.002
 http://sedm.org/Litigation/LitIndex.htm

6. Accepting public office within the federal government. This causes you to act in a representative capacity representing the federal corporation called the "United States" as defined in 28 U.S.C. §3002(15)(A). Pursuant to Federal Rule of Civil Procedure 17(b), you assume the same domicile and citizenship of the party you represent. All corporations are "citizens" with a domicile where they were created, which is the District of Columbia in the case of the federal United States.

"A corporation is a citizen, resident, or inhabitant of the state or country by or under the laws of which it was created, and of that state or country only."
[19 Corpus Juris Secundum, Corporations, §886]

7. Failing to rebut false information returns filed against you reflecting nonzero earnings, such as any of the following forms:
 7.1. *Correcting Erroneous IRS Form 1042's*, Form #04.003. See: http://sedm.org/Forms/FormIndex.htm
 7.2. *Correcting Erroneous IRS Form 1098's*, Form #04.004. See: http://sedm.org/Forms/FormIndex.htm
 7.3. *Correcting Erroneous IRS Form 1099's*, Form #04.005. See: http://sedm.org/Forms/FormIndex.htm
 7.4. *Correcting Erroneous IRS Form W-2's*, Form #04.006. See: http://sedm.org/Forms/FormIndex.htm

 All of the above information return forms connect you with the "trade or business" franchise pursuant to 26 U.S.C. §6041(a). A "trade or business" is defined in 26 U.S.C. §7701(a)(26) as "the functions of a public office". Engaging in a "trade or business" makes you into a "resident alien" as defined in 26 U.S.C. §7701(b)(1)(A). See older versions of 26 C.F.R. §301.7701-5 for proof at the link below:
 http://famguardian.org/TaxFreedom/CitesByTopic/Resident-26cfr301.7701-5.pdf

3.5 Who started the STATUTORY v. CONSTITUTIONAL citizen confusion SCAM

The deliberate scheme to confuse STATUTORY and CONSTITUTIONAL "persons" was first enacted by none other than Franklin Delano Roosevelt immediately after he took office in 1933. The law he enacted to confiscate all gold was the Emergency Banking Relief Act, 48 Stat. 1 and that act ONLY applied to STATUTORY "persons" WITHIN the EXCLUSIVE jurisdiction of the national government and NOT to CONSTITUTIONAL "persons" or "citizens". Of course, none of the thieves in government were honest enough to admit the differences in these two types of "persons" or "citizens" and they exploited this confusion to STEAL all the gold of Americans, and move it to the then new Fort Knox in seven railcars packed to the brim with gold.

Let's go back to March 6-9, 1933 and find out what FDR did. Instead of formulating a plan demanding that the Federal Reserve honor their contractual obligations to the People he instead consulted the Federal Reserve as to how they believed the crisis should be solved! Remember the REAL emergency was that the bankers did not want to honor their contractual obligation to convert the People's gold certificates to gold. The cats were consulted about what their punishment should be for eating mice. Of course, the cats ruled that they should be fed more mice! What did the private federal reserve conclude that their punishment should be for embezzling the People's gold and dishonoring their fiduciary responsibilities and legitimate contractual obligations? The cats at the FED decided that they should be fed more mice and the President was instructed to pass a law demanding that the People return ALL of their gold to the bankers or be subjected to a stiff fine and jail time. Roosevelt's Proclamations were taken word for word from the Resolution adopted by Federal Reserve.

Resolution Adopted by the Federal Reserve Board of New York.

"Whereas, in the opinion of the Board of Directors of the Federal Reserve Bank of New York, the continued and increasing withdrawal of currency and gold from the banks of the country has now created a national emergency…"

Remember, the controllers of the Federal Reserve were extremely well educated in law. History has shown them to be the brains behind all major Wars throughout the world. They create a conflict and then fund all sides. War is big business for banks. The fed understood how Congress can legislate for its Territorial subject "persons" through Art. I, Sec, 8, Clause 17, without regards to the Constitution (see also ***Downes v. Bidwell***, 182 U.S. 244 (1901)). These same scoundrels probably created the loophole! They also knew the difference between the CONSTITUTIONAL citizens and STATUTORY citizens and they were well aware of the War Powers. Following is the original October 6, 1917 combined with the Amendments of March 9, 1933:

Note: **Bold faced** and single underlines are added by the author for emphasis and understanding. Double underlines and ~~strike-through deletions~~ are Amendments to the original "Trading With the Enemy Act" made in the Act of March 9, 1933.

SIXTY FIFTH CONGRESS Sess. I Chapter 106, Page 411, October 6, 1917, 48 Stat. 1

CHAP 106—An Act To define, regulate, and punish trading with the enemy, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, that this Act shall be known as the "Trading With the Enemy Act."*

*SEC. 2. That the word "**enemy**" as used herein shall be deemed to mean, for the purposes of such trading and of this Act—*

*(a) Any individual, partnership, or other party of individuals, or any nationality, resident within the territory (including that occupied by the military and naval forces of any **nation with which the United States is at war** or resident outside the United States and doing business within such territory and any corporation incorporated within any country **other than the United States** and doing business with such [enemy] territory, and any corporation incorporated within such **territory with which the United States is at war** or incorporated within any country **other than the United States**.*

*(b) The government of any nation **with which the United States is at war**, or any political or municipal subdivision thereof.*

*(c) Such other individuals or body or class of individuals, as may be natives, citizens, or subjects of any nation **with which the United States is at war**, **other than citizens of the United States**, wherever resident or wherever doing business, as the President, if he shall find the safety of the United States or the successful prosecution of the war shall so require may, by proclamation, include within the term enemy"*

*[this section then continues to define an "ally of an enemy" in the same terms as the "enemy" and again states, "**other than citizens of the United States**."]*

Public Laws of the Seventy-Third Congress, Chapter 1, Title I, March 9, 1933 Sec. 2

*Subdivision (b) of Section 5 of the Act of October 6, 1917 (40 Stat. L. 411), as amended, is **hereby amended to read a follows**:*

*SEC. 5(b) "During time of war or during any other period of national emergency declared by the President, the President may through any agency that he may designate, or otherwise, investigate, regulate, or prohibit, under such rules and regulations as he may prescribe, by means of licenses or otherwise, any transactions of foreign exchange, export or earmarkings of gold or silver coin or bullion or currency, transfers of credits ~~in any form (other than credits relating solely to transactions to be executed wholly within the United States)~~ between or payments by banking institutions as defined by the President, and export, hoarding melting, or earmarking of gold or silver coin or bullion or currency by any person within the United States or any place subject to the jurisdiction thereof; ~~and transfers of evidences of indebtedness or of ownership of property between the United States and any foreign country, whether enemy, ally of enemy or otherwise, or between residents of one or~~ and ~~he~~ the President may require any ~~such~~ person engaged in any such transaction **referred to in this subdivision** to furnish under oath, complete information relative thereto, including the production of any books of account, contracts, letters or other papers, in connection therewith in the custody or control of such person, either before or after such transaction is completed. **Whoever willfully violates any of the provisions of this subdivision or of any license, order, rule or regulation issued thereunder, shall, upon conviction be fined not more than $10,000, or, if a natural person, may be imprisoned for not more than ten years, or both;'…"***

Following the above act, socialist FDR then signed Executive Order 6102 ordering "citizens of the United States" to turn in their gold. Information on Executive Order 6102:

1. Wikipedia Article: Executive Order 6102
 http://en.wikipedia.org/wiki/Executive_Order_6102
2. Text of Executive Order 6102
 http://www.presidency.ucsb.edu/ws/index.php?pid=14611&st=&st1=

The only "individuals" or "persons" he could lawfully be referring to in Executive Order 6102 are STATUTORY citizens who are ALSO public officers in the government, because the ability to regulate exclusively private rights is repugnant to the Constitution. Furthermore, even in times of national emergency, it is illegal to violate such a constitutional limitation:

THE AMERICAN CONSTITUTION IS NON-SUSPENDIBLE!

*"**No emergency justifies the violation of any of the provisions of the United States Constitution.**[2] An emergency, however, while it cannot create power, increase granted power, or remove or diminish the*

[2] As to the effect of emergencies on the operation of state constitutions, see § 59.

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restrictions imposed upon the power granted or reserved, may allow the exercise of power already in existence, but not exercised except during an emergency. [3]

The circumstances in which the executive branch may exercise extraordinary powers under the Constitution are very narrow.[4] *The danger must be immediate and impending, or the necessity urgent for the public service, such as will not admit of delay, and where the action of the civil authority would be too late in providing the means which the occasion calls for.* [5] *For example, there is no basis in the Constitution for the seizure of steel mills during a wartime labor dispute, despite the President's claim that the war effort would be crippled if the mills were shut down.* [6]"
[16 American Jurisprudence 2d, Constitutional Law, §52 (1999)]

If you would like to read the above enactments, see:

Legislative History of Money in the United States, Family Guardian Fellowship http://famguardian.org/Subjects/MoneyBanking/Money/LegHistory/LegHistoryMoney.htm

4. PROOF THAT STATUTORY CITIZENS/RESIDENTS ARE A FRANCHISE STATUS THAT HAS NOTHING TO DO WITH YOUR DOMICILE

The following subsections will prove that statutory "U.S. citizen" or "national and citizen of the United States" status found in 8 U.S.C. §1401, 26 U.S.C. §3121(e), and 26 C.F.R. §1.1-1(c) is a franchise status that has nothing to do with one's domicile. As a franchisee, they become officers of a corporation and "persons" under federal law, and thereby act as the equivalent of a corporation sole wholly owned by the U.S. government. The U.S. Supreme Court has already declared that turning citizens and residents into the equivalent of a "corporation sole" unconstitutional and thereby illegal:

*"But if the plain dictates of our senses be relied on, what state of facts have we exhibited here? 898*898* ***Making a person, makes a case****; and thus, a government which cannot exercise jurisdiction unless an alien or citizen of another State be a party, makes a party which is neither alien nor citizen, and then claims jurisdiction because it has made a case.* ***If this be true, why not make every citizen a corporation sole, and thus bring them all into the Courts of the United States quo minus? Nay, it is still worse, for there is not only an evasion of the constitution implied in this doctrine, but a positive power to violate it. Suppose every individual of this corporation were citizens of Ohio, or, as applicable to the other case, were citizens of Georgia, the United States could not give any one of them, individually, the right to sue a citizen of the same State in the Courts of the United States; then, on what principle could that right be communicated to them in a body? But the question is equally unanswerable, if any single member of the corporation is of the same State with the defendant, as has been repeatedly adjudged."***
[Osborn v. Bank of U.S. , 22 U.S. 738 (1824); SOURCE: http://scholar.googl...760256043512250]

If you would like to know more about the devious abuse of franchises to destroy your rights and break the chains of the Constitution that bind your public servants and protect your rights, see:

Government Instituted Slavery Using Franchises, Form #05.030 http://sedm.org/Forms/FormIndex.htm

4.1 Legal Dictionary

[3] Veix v. Sixth Ward Building & Loan Ass'n of Newark, 310 U.S. 32, 60 S.Ct. 792, 84 L.Ed. 1061 (1940); Home Bldg. &Loan Ass'n v. Blaisdell, 290 U.S. 398, 54 S.Ct. 231, 78 L.Ed. 413, 88 A.L.R. 1481 (1934).

The Constitution was adopted in a period of grave emergency and its grants of power to the Federal Government and its limitations of the power of the states were determined in the light of emergency, and are not altered by emergency. First Trust Co. of Lincoln v. Smith, 134 Neb. 84, 277 N.W. 762 (1938).

[4] Halperin v. Kissinger, 606 F.2d. 1192 (D.C. Cir. 1979), cert. granted, 446 U.S. 951, 100 S.Ct. 2915, 64 L.Ed.2d. 807 (1980) and aff'd in part, cert. dismissed in part, 452 U.S. 713, 101 S.Ct. 3132, 69 L.Ed.2d. 367 (1981), reh'g denied, 453 U.S. 928, 102 S.Ct. 892, 69 L.Ed.2d. 1024 (1981) and on remand to, 542 F. Supp. 829 (D.D.C. 1982) and on remand to, 578 F. Supp. 231 (D.D.C. 1984), aff'd in part, remanded in part, 807 F.2d. 180 (D.C. Cir. 1986), on remand to, 723 F. Supp. 1535 (D.D.C. 1989), related reference, 1991 WL 120167 (D.D.C. 1991), remanded, 1992 WL 394503 (D.C. Cir. 1992).

[5] Mitchell v. Harmony, 54 U.S. 115, 13 How. 115, 14 L.Ed. 75 (1851).

[6] Youngstown Sheet &Tube Co. v. Sawyer, 343 U.S. 579, 72 S.Ct. 863, 96 L.Ed. 1153, 47 Ohio.Op. 430, 47 Ohio.Op. 460, 62 Ohio.L.Abs. 417, 62 Ohio.L.Abs. 473, 26 A.L.R.2d. 1378 (1952).

The legal dictionary confirms that statutory "citizen" status equates with being a "subject", AND that said "subject" status is, indeed a voluntary franchise:

> *"**Subject**. Constitutional law. One that owes allegiance to a sovereign and is governed by his laws. The natives of Great Britain are subjects of the British government. **Men in free governments are subjects as well as citizens; as citizens they enjoy rights and franchises; as subjects they are bound to obey the laws. The term is little used, in this sense, in countries enjoying a republican form of government. Swiss Nat. Ins. Co. v. Miller, 267 U.S. 42, 45 S.Ct. 213, 214, 69 L.Ed. 504.***

> *Legislation. The matter of public or private concern for which law is enacted. Thing legislated about or matters on which legislature operates to accomplish a definite object or objects reasonably related one to the other. Crouch v. Benet, 198 S.C. 185, 17 S.E.2d. 320, 322. The matter or thing forming the groundwork of the act. McCombs v. Dallas County, Tex.Civ.App., 136 S.W.2d. 975,982.*

> *The constitutions of several of the states require that every act of the legislature shall relate to but one subject, which shall be expressed in the title of the statute. But term "subject" within such constitutional provisions is to be given a broad and extensive meaning so as to allow legislature full scope to include in one act . all matters having a logical or natural connection. Jaffee v. State, 76 Okl.Cr. 95, 134 P.2d. 1027, 1032.*
> *[Black's Law Dictionary, Sixth Edition, p. 1425]*

Note from the above that:

1. Republican governments such as that in America DO NOT have "subjects". You cannot be a "taxpayer" WITHOUT being a "subject".

> *"The **term is little used, in this sense, in countries enjoying a republican form of government.** Swiss Nat. Ins. Co. v. Miller, 267 U.S. 42, 45 S.Ct. 213, 214, 69 L.Ed. 504."*

2. You have to be "in the government" to be a subject or statutory citizen, and that when you join the government, THE GOVERNMENT is free, but YOU, the SUBJECT, are not only NOT free, but become a slave to their protection contract or "social compact":

> *"**Men in free governments are…"***

3. Being a statutory "citizen" is identified as a voluntary franchise:

> *"Men in free governments are subjects as well as citizens; **as citizens they enjoy rights [PRIVILEGES or PUBLIC RIGHTS] and franchises**".*

The above admissions are deliberate double speak to cloud the issues, but they do state *some* of the truth plainly. They are using double speak because they know they are abusing the law to destroy rights and enslave people they are supposed to be protecting through the abuse of "words of art" and oxymorons.

> *"For **where envy and self-seeking [by a corrupted de facto government towards YOUR property] exist, [manufactured] confusion and every evil thing are there.** But the wisdom that is from above is first pure, then peaceable, gentle, willing to yield, full of mercy and good fruits, without partiality and without hypocrisy."*
> *[James 3:16-17, Bible, NKJV]*

Here is some of the double speak designed to enforce the stealthful and unconstitutional GOVERNMENT PLUNDER of your rights and property using "words of art":

1. They say "men in free governments", implying that the GOVERNMENT is free but the "men" are NOT. No "subject" who is subservient to anyone can ever truly be "free". In any economic system, there are only two roles you can fill: predator or prey, sovereign or subject.
2. They admit that governments that are "republican in form" cannot have "subjects", but:
 2.1. They don't mention that America, in Constitution Article 4, Section 4, is republican in form.
 2.2. They deliberately don't explain how you can "govern" people who are not "subjects" but sovereigns such as those in America.

 In fact, if they dealt with the above two issues, their FRAUD would have to come to an IMMEDIATE end. It is a maxim of law that when TWO rights exist in the same person, it is as if there were TWO PERSONS. This means that the statutory "citizen" or "subject" they are REALLY talking about is a SEPARATE LEGAL PERSON who is, in fact,

a public office in the U.S. government. 4 U.S.C. §72 says that office cannot lawfully exist in a constitutional state of the Union without permission from Congress that has never expressly been given and CANNOT lawfully be given without violating the separation of powers doctrine which is the foundation of the U.S. Constitution:

> *"Quando duo juro concurrunt in und personâ, aequum est ac si essent in diversis.*
> *When two rights [or a RIGHT and a PRIVILEGE] concur in one person, it is the same as if they were in two separate persons. 4 Co. 118."*
> *[Bouvier's Maxims of Law, 1856;*
> *SOURCE: http://famguardian.org/Publications/BouvierMaximsOfLaw/BouviersMaxims.htm]*

3. They use the phrase "rights and franchises". These two things cannot rationally coexist in the same person. Rights are unalienable, meaning that they cannot lawfully be surrendered or bargained away. Franchises are alienable and can be taken away at the whim of the legislature. You cannot sign up for a government franchise without alienating an unalienable right. Therefore, no one who has REAL UNALIENABLE rights can also at the same time have privileges. The only people who can lawfully sign up for franchises are those who HAVE no rights because domiciled on federal territory not protected by the constitution and not within any state of the Union.

> *"We hold these truths to be self-evident, that **all men are created equal, that they are endowed by their Creator with certain unalienable Rights**, that among these are Life, Liberty and the pursuit of Happiness.--That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed, -"*
> *[Declaration of Independence]*

> *"Unalienable. Inalienable; incapable of being aliened, that is, sold and transferred."*
> *[Black's Law Dictionary, Fourth Edition, p. 1693]*

4. They don't address how the national government can lawfully implement franchises within a Constitutional state, and therefore deliver the "rights [PRIVILEGES and PUBLIC RIGHTS] and franchises" associated with being a statutory but not constitutional "citizen". The U.S. Supreme Court has held more than once that Congress CANNOT lawfully establish or enforce ANY franchise within the borders of a constitutional state of the Union. The following case has NEVER been overruled.

> *"Thus, Congress having power to regulate commerce with foreign nations, and among the several States, and with the Indian tribes, may, without doubt, provide for **granting** coasting **licenses**, licenses to pilots, licenses to trade with the Indians, and any other **licenses** necessary or proper for the exercise of that great and extensive power; and the same observation is applicable to every other power of Congress, to the exercise of which the granting of licenses may be incident. All such licenses confer authority, and give rights to the licensee.*
>
> *But very different considerations apply to the **internal commerce** or **domestic trade** of the **States**. Over this commerce and trade Congress has **no power of regulation nor any direct control**. This power belongs **exclusively** to the States. **No interference by Congress with the business of citizens transacted within a State is warranted by the Constitution, except such as is strictly incidental to the exercise of powers clearly granted to the legislature**. The power to authorize a business within a State is plainly repugnant to the exclusive power of the State over the same subject. It is true that the power of Congress to tax is a very extensive power. It is given in the Constitution, with only one exception and only two qualifications. Congress cannot tax exports, and it must impose direct taxes by the rule of apportionment, and indirect taxes by the rule of uniformity. Thus limited, and thus only, it reaches every subject, and may be exercised at discretion. But, it reaches only existing subjects. **Congress cannot authorize [LICENSE, using a Social Security Number] a trade or business within a State in order to tax it.**"*
> *[License Tax Cases, 72 U.S. 462, 18 L.Ed. 497, 5 Wall. 462, 2 A.F.T.R. 2224 (1866)]*

And here is yet another example from Black's Law Dictionary proving that statutory citizenship is a franchise:

> *FRANCHISE. **A special privilege conferred by government on individual or corporation, and which does not belong to citizens of country generally of common right.** Elliott v. City of Eugene, 135 Or. 108, 294 P. 358, 360. In England it is defined to be a royal privilege in the hands of a subject.*
>
> *A "franchise," as used by Blackstone in defining quo warranto, (3 Com. 262 [4th Am. Ed.] 322), had reference to a royal privilege or branch of the king's prerogative subsisting in the hands of the subject, and must arise from the king's grant, or be held by prescription, but today we understand a franchise to be some special privilege conferred by government on an individual, natural or artificial, which is not enjoyed by its citizens in general. State v. Fernandez, 106 Fla. 779, 143 So. 638, 639, 86 A.L.R. 240.*
>
> ***In this country a franchise is a privilege or immunity of a public nature, which cannot be legally exercised without legislative grant. To be a corporation is a franchise.** The various powers conferred on corporations*

> *are franchises. The execution of a policy of insurance by an insurance company* ***[e.g. Social Insurance/Socialist Security]****, and the issuing a bank note by an incorporated bank* ***[such as a Federal Reserve NOTE]****, are franchises. People v. Utica Ins. Co.. 15 Johns., N.Y., 387, 8 Am.Dec. 243. But it does not embrace the property acquired by the exercise of the franchise. Bridgeport v. New York & N. H. R. Co., 36 Conn. 255, 4 Arn.Rep. 63. Nor involve interest in land acquired by grantee. Whitbeck v. Funk, 140 Or. 70, 12 P.2d 1019, 1020.* ***In a popular sense, the political rights of subjects and citizens are franchises, such as the right of suffrage. etc. Pierce v. Emery, 32 N.H. 484; State v. Black Diamond Co., 97 Ohio.St. 24, 119 N.E. 195, 199, L.R.A. 1918E, 352.***
>
> *Elective Franchise. The right of suffrage: the right or privilege of voting in public elections.*
>
> *[Black's Law Dictionary, Fourth Edition, pp. 786-787]*

Note the phrase "a franchise is a privilege or immunity of a public nature", meaning that those who exercise it are public officers. A public officer, after all, is legally defined simply as someone who has custody and control of the property of the public, including "public rights". They also say "In a popular sense, the political rights of subjects and citizens are franchises, such as the right of suffrage" and by this:

1. They refer to franchises as having a "public nature", meaning that those who exercise them are public officers.
2. They can only mean STATUTORY citizens and not CONSTITUTIONAL citizens.
3. They are referring to a "Congressionally created right" and therefore statutory privilege available only to those subject to the exclusive jurisdiction of Congress because domiciled on federal territory.

It therefore appears to us that:

1. The only "subjects" within a republican form of government are public officers IN the government and not private human beings.
2. In order to create "subjects" within a republican form of government, you must create a statutory franchise called "U.S. citizen" or "U.S. resident" that is a public office in the government, and fool people through the abuse of "words of art" into volunteering into the franchise.
3. A government that abuses its legislative authority to create franchises that alienate rights that are supposed to be unalienable is engaging in TREASON and violating the Constitution. Any government that makes a profitable business or franchise out of alienating rights that are supposed to be unalienable is not a de jure government, but a de facto government.

4.2 Criminalization of being a "citizen of the United States" in 18 U.S.C. §911

You may also wonder as we have how it is that Congress can make it a crime to falsely claim to be a statutory "U.S. citizen" in 18 U.S.C. §911.

> *TITLE 18 > PART I > CHAPTER 43 > § 911*
> *§ 911. Citizen of the United States*
>
> *Whoever falsely and willfully represents himself to be a* ***citizen of the United States****[**] shall be fined under this title or imprisoned not more than three years, or both.*

The reason is that you cannot tax or regulate something until abusing it becomes harmful. A "license", after all, is legally defined as permission from the state to do that which is otherwise illegal or harmful or both. And of course, you can only tax or regulate things that are harmful and licensed. Hence, they had to:

1. Create yet another franchise.
2. Attach a "status" to the franchise called "citizen of the United States**", where "United States" implies the GOVERNMENT and not any geographical place.
3. Criminalize the abuse of the "status" and the rights that attach to the status. See, for instance, 18 U.S.C. §911, which makes it a crime to impersonate a statutory "citizen of the United States**".
4. Make adopting the status entirely discretionary on the part of those participating. Hence, invoking the "status" and the "benefits" and "privileges" associated with the status constitutes constructive consent to abide by all the statutes that regulate the status.

> *California Civil Code*

DIVISION 3. OBLIGATIONS
PART 2. CONTRACTS
TITLE 1. NATURE OF A CONTRACT
CHAPTER 3. CONSENT

1589. A voluntary acceptance of the benefit of a transaction is equivalent to a consent to all the obligations arising from it, so far as the facts are known, or ought to be known, to the person accepting.

[SOURCE:
http://www.leginfo.ca.gov/cgi-bin/displaycode?section=civ&group=01001-02000&file=1565-1590]

5. Impose a tax or fine or "licensing fee" for those adopting or invoking the status. That tax, in fact, is the federal income tax codified in Internal Revenue Code, Subtitle A.

Every type of franchise works and is implemented exactly the same way, and the statutory "U.S. citizen" or "citizen of the United States**" franchise is no different. This section will prove that being a "citizen of the United States**" under the I.R.C. is, in fact, a franchise, that the franchise began in 1924 by judicial pronouncement, and that because the status is a franchise and all franchises are voluntary, you don't have to participate, accept the "benefits", or pay for the costs of the franchise if you don't consent.

As you will learn in the next section, one becomes a "citizen" in a common law or constitutional sense by being born or naturalized in a country and exercising their First Amendment right of political association by voluntarily choosing a national and a municipal domicile in that country. How can Congress criminalize the exercise of the First Amendment right to politically associate with a "state" and thereby become a citizen? After all, the courts have routinely held that Congress cannot criminalize the exercise of a right protected by the Constitution.

"It is an unconstitutional deprivation of due process for the government to penalize a person merely because he has exercised a protected statutory or constitutional right. United States v. Goodwin, 457 U.S. 368, 372 , 102 S.Ct. 2485, 2488, 73 L.Ed.2d. 74 (1982)."
[People of Territory of Guam v. Fegurgur, 800 F.2d. 1470 (9th Cir. 1986)]

Even the U.S. Code recognizes the protected First Amendment right to ***not*** associate during the passport application process. Being a statutory and not constitutional "citizen" is an example of type of membership, because domicile is civil membership in a territorial community usually called a county, and you cannot be a "citizen" without a domicile:

TITLE 22 > CHAPTER 38 > § 2721
§ 2721. Impermissible basis for denial of passports

*A passport may not be denied issuance, revoked, restricted, or otherwise limited because of any speech, activity, belief, **affiliation, or membership, within or outside the United States,** which, if held or conducted within the United States, would be protected by the first amendment to the Constitution of the United States.*

The answer to how Congress can criminalize the exercise of a First Amendment protected right of political association that is the foundation of becoming a "citizen" therefore lies in the fact that the statutory "U.S.** citizen" mentioned in 18 U.S.C. §911 is ***not*** a constitutional citizen protected by the Constitution, but rather is:

1. Not a human being or a private person but a statutory creation of Congress. The ability to regulate private conduct, according to the U.S. Supreme Court, is repugnant to the U.S. Constitution and therefore Congress can ONLY regulate public conduct and the public offices and franchises that it creates.

"The power to "legislate generally upon" life, liberty, and property, as opposed to the "power to provide modes of redress" against offensive state action, was "repugnant" to the Constitution. Id., at 15. See also United States v. Reese, 92 U.S. 214, 218 (1876); United States v. Harris, 106 U.S. 629, 639 (1883); James v. Bowman, 190 U.S. 127, 139 (1903). Although the specific holdings of these early cases might have been superseded or modified, see, e.g., Heart of Atlanta Motel, Inc. v. United States, 379 U.S. 241 (1964); United States v. Guest, 383 U.S. 745 (1966), their treatment of Congress' §5 power as corrective or preventive, not definitional, has not been questioned."
[City of Boerne v. Florez, Archbishop of San Antonio, 521 U.S. 507 (1997)]

2. A statutory franchise and a federal corporation created on federal territory and domiciled there. Notice the key language "***Whenever the public and private acts of the government seem to comingle [in this case, through the offering and enforcement of PRIVATE franchises to the public at large such as income taxes], a citizen or***

corporate body must by supposition be substituted in its place…" What Congress did was perform this substitution in the franchise agreement itself (the I.R.C.) BEFORE the controversy ever even reached the court such that this judicial doctrine could be COVERTLY applied! They want to keep their secret weapon secret.

> *See also Clearfield Trust Co. v. United States, 318 U.S. 363, 369 (1943) ("`**The United States does business on business terms**'") (quoting United States v. National Exchange Bank of Baltimore, 270 U.S. 527, 534 (1926)); Perry v. United States, supra at 352 (1935) ("**When the United States, with constitutional authority, makes contracts [or franchises], it has rights and incurs responsibilities similar to those of individuals who are parties to such instruments. There is no difference . . . except that the United States cannot be sued without its consent**") (citation omitted); United States v. Bostwick, 94 U.S. 53, 66 (1877) ("**The United States, when they contract with their citizens, are controlled by the same laws that govern the citizen in that behalf**"); Cooke v. United States, 91 U.S. 389, 398 (1875) (**explaining that when the United States "comes down from its position of sovereignty, and enters the domain of commerce, it submits itself to the same laws that govern individuals there**").*

> *See Jones, 1 Cl.Ct. at 85 ("**Wherever the public and private acts of the government seem to commingle, a citizen or corporate body must by supposition be substituted in its place, and then the question be determined whether the action will lie against the supposed defendant**"); O'Neill v. United States, 231 Ct.Cl. 823, 826 (1982) (sovereign acts doctrine applies where, "[w]ere [the] contracts exclusively between private parties, the party hurt by such governing action could not claim compensation from the other party for the governing action"). The dissent ignores these statements (including the statement from Jones, from which case Horowitz drew its reasoning literally verbatim), when it says, post at 931, that the sovereign acts cases do not emphasize the need to treat the government-as-contractor the same as a private party.*
> *[United States v. Winstar Corp. 518 U.S. 839 (1996)]*

3. Property of the U.S. government. All franchises and statuses incurred under franchises are property of the government grantor. The government has always had the right to criminalize abuses of its property.
4. A public office in the government like all other franchise statuses.
5. An officer of a corporation, which is "U.S. Inc." and is described in 28 U.S.C. §3002(15)(A). All federal corporations are "citizens", and therefore a statutory "U.S. citizen" is really just the corporation that you are representing as a public officer.

> *"A corporation is a citizen, resident, or inhabitant of the state or country by or under the laws of which it was created, and of that state or country only."*
> *[19 Corpus Juris Secundum, Corporations, §886]*

Ordinarily, and especially in the case of states of the Union, domicile within that state by the state "citizen" is the determining factor as to whether an income tax is owed to the state by that citizen:

> *"**domicile**. A person's legal home. That place where a man has his true, fixed, and **permanent home** and principal establishment, and to which whenever he is absent he has **the intention of** returning. Smith v. Smith, 206 Pa.Super. 310, 213 A.2d. 94. Generally, physical presence within a state and **the intention** to make it one's home are the requisites of establishing a "domicile" therein. The permanent residence of a person or the place to which he **intends to** return even though he may actually reside elsewhere. A person may have more than one residence but only one domicile. **The legal domicile of a person is important since it, rather than the actual residence, often controls the jurisdiction of the taxing authorities and determines where a person may exercise the privilege of voting and other legal rights and privileges.**"*
> *[Black's Law Dictionary, Sixth Edition, p. 485]*

> *"**Thus, the Court has frequently held that domicile or residence, more substantial than mere presence in transit or sojourn, is an adequate basis for taxation, including income, property, and death taxes**. Since the Fourteenth Amendment makes one a citizen of the state wherein he resides, **the fact of residence creates universally reciprocal duties of protection by the state and of allegiance and support by the citizen. The latter obviously includes a duty to pay taxes, and their nature and measure is largely a political matter.** Of course, the situs of property may tax it regardless of the citizenship, domicile, or residence of the owner, the most obvious illustration being a tax on realty laid by the state in which the realty is located."*
> *[Miller Brothers Co. v. Maryland, 347 U.S. 340 (1954)]*

We also establish the connection between domicile and tax liability in the following article.

4.3 U.S. Supreme Court: Murphy v. Ramsey

Below is how the U.S. Supreme Court describes the political rights of those domiciled on federal territory and therefore statutory "U.S. citizens" and "U.S. residents" as follows:

> *The counsel for the appellants in argument seem to question the constitutional power of Congress to pass the Act of March 22, 1882, so far as it abridges the rights of electors in the territory under previous laws.* ***But that question is, we think, no longer open to discussion. It has passed beyond the stage of controversy into final judgment****. The people of the United States[***], as sovereign owners of the national territories, have supreme power over them and their inhabitants. In the exercise of this sovereign dominion, they are represented by the government of the United States[**], to whom all the powers of government over that subject have been delegated, subject only to such restrictions as are expressed in the Constitution or are necessarily implied in its terms or in the purposes and objects of the power itself, for it may well be admitted in respect to this, as to every power of society over its members, that it is not absolute and unlimited.* ***But in ordaining government for the territories and the people who inhabit them, all the discretion which belongs to legislative power is vested in Congress, and that extends beyond all controversy to determining by law, from time to time, the form of the local government in a particular territory and the qualification of those who shall administer it.*** *It rests with Congress to say whether in a given case any of the people resident in the territory shall participate in the election of its officers or the making of its laws, and it may therefore take from them any right of suffrage it may previously have conferred, or at any time modify or abridge it, as it may deem expedient.* ***The right of local self-government, as known to our system as a constitutional franchise****,* ***belongs under the Constitution to the states and to the people thereof, by whom that Constitution was ordained, and to whom, by its terms, all power not conferred by it upon the government of the United States, was expressly reserved. The personal and civil rights of the inhabitants of the territories are secured to them, as to other citizens, by the principles of constitutional liberty, which restrain all the agencies of government, state and national; their political rights are franchises which they hold as privileges in the legislative discretion of the Congress of the United States****. This doctrine was fully and forcibly declared by THE CHIEF JUSTICE, delivering the opinion of the Court in National Bank v. County of Yankton, 101 U.S. 129. See also American Ins. Co. v. Canter, 1 Pet. 511; United States v. Gratiot, 14 Pet. 526; Cross v. Harrison, 16 How. 164; Dred Scott v. Sandford, 19 How. 393.*
> *[Murphy v. Ramsey, 114 U.S. 15 (1885)]*

So in other words, those domiciled on federal territory are exercising "privileges" and franchises. The above case, however, does not refer and cannot refer to those domiciled within states of the Union.

4.4 U.S. Supreme Court: Cook v. Tait

The U.S. Supreme Court confirmed that the statutory "citizen of the United States**" mentioned in the Internal Revenue Code at 26 U.S.C. §911 and at 26 C.F.R. §1.1-1(c) is not associated with either domicile OR with constitutional citizenship (nationality) of the human being who is the "taxpayer" in the following case. The party they mentioned, Cook, was domiciled within Mexico at the time, which meant he was NOT a statutory "citizen of the United States**" under the Internal Revenue Code but rather a "nonresident alien". However, because he CLAIMED to be a statutory "citizen of the United States**" and the Supreme Court colluded with that FRAUD, they treated him as one ANYWAY.

> *We may make further exposition of the national power as the case depends upon it. It was illustrated at once in United States v. Bennett by a contrast with the power of a state. It was pointed out that there were limitations upon the latter that were not on the national power.* ***The taxing power of a state, it was decided, encountered at its borders the taxing power of other states and was limited by them. There was no such limitation, it was pointed out, upon the national power, and that the limitation upon the states affords, it was said, no ground for constructing a barrier around the United States, 'shutting that government off from the exertion of powers which inherently belong to it by virtue of its sovereignty.'***
>
> ***"The contention was rejected that a citizen's property without the limits of the United States derives no benefit from the United States.*** *The contention, it was said, came from the confusion of thought in 'mistaking the scope and extent of the sovereign power of the United States as a nation and its relations to its citizens and their relation to it.'* **And that power in its scope and extent, it was decided, is based on the presumption that government by its very nature benefits the citizen and his property wherever found,** *and that opposition to it holds on to citizenship while it 'belittles and destroys its advantages and blessings by denying the possession by government of an essential power required to make citizenship completely beneficial.' In other words, the principle was*

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declared that the government, by its very nature, benefits the citizen and his property wherever found, and therefore has the power to make the benefit complete. ***Or, to express it another way, the basis of the power to tax was not and cannot be made dependent upon the situs of the property in all cases, it being in or out of the United States, nor was not and cannot be made dependent upon the domicile of the citizen, that being in or out of the United States, but upon his relation as citizen to the United States and the relation of the latter to him as citizen.*** *The consequence of the relations is that the native citizen who is taxed may have domicile, and the property from which his income is derived may have situs, in a foreign country and the tax be legal—the government having power to impose the tax."*
[Cook v. Tait, 265 U.S. 47 (1924)]

How can they tax someone without a domicile in the statutory United States and with no earnings from the statutory United States in the case of Cook, you might ask? Well, the REAL "taxpayer" is a public office in the U.S. government. That office REPRESENTS the United States federal corporation. All corporations are "citizens" of the place of their incorporation, and therefore under Federal Rule of Civil Procedure 17(b), the effective domicile of the "taxpayer" is the District of Columbia.[7] All taxes are a civil liability that are implemented with civil law. The only way they could have reached extraterritorially with civil law to tax Cook without him having a domicile or residence anywhere in the statutory "United States**" was through a private law franchise contract in which he was a public officer. It is a maxim of law that debt and contract know no place, meaning that they can be enforced anywhere.

Debt and contract [franchise agreement, in this case] are of no particular place.

Locus contractus regit actum.
The place of the contract [franchise agreement, in this case] governs the act.
[Bouvier's Maxims of Law, 1856;
SOURCE: http://famguardian.org/Publications/BouvierMaximsOfLaw/BouviersMaxims.htm]

The feds have jurisdiction over their own public officers wherever they are but the EFFECTIVE civil domicile of all such offices and officers is the District of Columbia pursuant to Federal Rule of Civil Procedure 17(b). Hence, the ONLY thing such a statutory "citizen of the United States**" could be within the I.R.C. is a statutory creation of Congress that is actually a public office which is domiciled in the statutory but not constitutional "United States**" in order for the ruling in Cook to be constitutional or even lawful. AND, according to the Cook case, having that status is a discretionary choice that has NOTHING to do with your circumstances, because Cook was NOT a statutory "citizen of the United States**" as someone not domiciled in the statutory but not constitutional "United States**". Instead, he was a nonresident alien but the court allowed him to accept the voluntary "benefit" of the statutory status and hence, it had nothing to do with his circumstances, but rather his CHOICE to nominate a "protector" and join a franchise. Simply INVOKING the status of being a statutory "citizen of the United States**" on a government form is the only magic word needed to give one's consent to become a "taxpayer" in that case. It is what the court called a "benefit", and all "benefits" are voluntary and the product of a franchise contract or agreement. It was a quasi-contract as all taxes are, because the consent was implied rather than explicit, and it manifested itself by using property of the government, which in this case was the STATUS he claimed.

"Even if the judgment is deemed to be colored by the nature of the obligation whose validity it establishes, and we are free to re-examine it, and, if we find it to be based on an obligation penal in character, to refuse to enforce it outside the state where rendered, see Wisconsin v. Pelican Insurance Co., 127 U.S. 265 , 292, et seq. 8 S.Ct. 1370, compare Fauntleroy v. Lum, 210 U.S. 230 , 28 S.Ct. 641, ***still the obligation to pay taxes is not penal. It is a statutory liability, quasi contractual in nature, enforceable, if there is no exclusive statutory remedy, in the civil courts by the common-law action of debt or indebitatus assumpsit.*** ***United States v. Chamberlin, 219 U.S. 250 , 31 S.Ct. 155; Price v. United States, 269 U.S. 492 , 46 S.Ct. 180; Dollar Savings Bank v. United States, 19 Wall. 227; and see Stockwell v. United States, 13 Wall. 531, 542; Meredith v. United States, 13 Pet. 486, 493. This was the rule established in the English courts before the Declaration of Independence.*** *Attorney General v. Weeks, Bunbury's Exch. Rep. 223; Attorney General v. Jewers and Batty, Bunbury's Exch. Rep. 225; Attorney General v. Hatton, Bunbury's Exch. Rep. [296 U.S. 268, 272] 262; Attorney General v. _ _, 2 Ans.Rep. 558; see Comyn's Digest (Title 'Dett,' A, 9); 1 Chitty on Pleading, 123; cf. Attorney General v. Sewell, 4 M.&W. 77. "*
[Milwaukee v. White, 296 U.S. 268 (1935)]

[7] "A corporation is a citizen, resident, or inhabitant of the state or country by or under the laws of which it was created, and of that state or country only." [19 Corpus Juris Secundum, Corporations, §886]

You might reasonably ask of the Cook case, as we have, the following question:

> *"HOW did the government create the public office that they could tax and which Cook apparently occupied as a franchisee?"*

Well, apparently the "citizen of the United States**" status he claimed is a franchise and an office in the U.S. government that carries with it the "public right" to make certain demands upon those who claim this status. Hence, it represents a "property interest" in the services of the United States federal corporation. In law:

1. All rights are property.
2. Anything that conveys rights is property.
3. Contracts convey rights and are therefore property.
4. All franchises are contracts and therefore property.

A "public officer" is legally defined as someone in charge of the property of the public, and the property Cook was in possession of was the public rights that attach to the status of being a statutory "citizen of the United States**".

> *"**Public office**. The right, authority, and duty created and conferred by law, by which for a given period, either fixed by law or enduring at the pleasure of the creating power, an individual is invested with some portion of the sovereign functions of government for the benefit of the public. Walker v. Rich, 79 Cal.App. 139, 249 P. 56, 58. An agency for the state, the duties of which involve in their performance the exercise of some portion of the sovereign power, either great or small. Yaselli v. Goff, C.C.A., 12 F.2d. 396, 403, 56 A.L.R. 1239; Lacey v. State, 13 Ala.App. 212, 68 So. 706, 710; Curtin v. State, 61 Cal.App. 377, 214 P. 1030, 1035; Shelmadine v. City of Elkhart, 75 1nd.App. 493, 129 N.E. 878. State ex rel. Colorado River Commission v. Frohmiller, 46 Ariz. 413, 52 P.2d. 483, 486. **Where, by virtue of law, a person is clothed, not as an incidental or transient authority, but for such time as de- notes duration and continuance, with Independent power to control the property of the public**, or with public functions to be exercised in the supposed interest of the people, the service to be compensated by a stated yearly salary, and the occupant having a designation or title, the position so created is a public office. State v. Brennan, 49 Ohio.St. 33, 29 N.E. 593.*
> *[Black's Law Dictionary, Fourth Edition, p. 1235]*

For Cook, the statutory status he FALSELY claimed of being a "citizen of the United States**" was the "res" that "identified" him within the jurisdiction of the federal courts, and hence made him a "res-ident" or "resident" subject to the tax with standing to sue in a territorial franchise court, which is what all U.S. District Courts are. In effect, he waived sovereign immunity and became a statutory "resident alien" by invoking the services of the federal courts, and as such, he had to pay for their services by paying the tax. Otherwise, he would have no standing to sue in the first place because he would be a "stateless person" and they would have had to dismiss either his case, or him as a party to it as the U.S. Supreme Court correctly did in Newman-Green v. Alfonso Larrain, 490 U.S. 826 (1989) in the case of an American National domiciled in Venezuela and therefore OUTSIDE the statutory but not constitutional "United States".

> *"At oral argument before a panel of the Seventh Circuit Court of Appeals, Judge Easterbrook inquired as to the statutory basis for diversity jurisdiction, an issue which had not been previously raised either by counsel or by the District Court Judge. In its complaint, Newman-Green had invoked 28 U.S.C. §1332(a)(3), which confers jurisdiction in the District Court when a citizen of one State sues both aliens and citizens of a State (or States) different from the plaintiff's. **In order to be a citizen of a State within the meaning of the diversity statute, a natural person must both be a citizen of the United States and be domiciled within the State. See Robertson v. Cease, 97 U.S. 646, 648-649 (1878); Brown v. Keene, 8 Pet. 112, 115 (1834). The problem in this case is that Bettison, although a [CONSTITUTIONAL] United States citizen, has no domicile in any State [FEDERAL STATE, meaning a federal TERRITORY per 28 U.S.C. §1332(e)]. He is therefore "stateless" for purposes of § 1332(a)(3). Subsection 1332(a)(2), which confers jurisdiction in the District Court when a citizen of a State sues aliens only, also could not be satisfied because Bettison is a United States citizen. [490 U.S. 829]***

> *When a plaintiff sues more than one defendant in a diversity action, the plaintiff must meet the requirements of the diversity statute for each defendant or face dismissal. Strawbridge v. Curtiss, 3 Cranch 267 (1806).{1} Here, Bettison's "stateless" status destroyed complete diversity under § 1332(a)(3), and his United States citizenship destroyed complete diversity under § 1332(a)(2). Instead of dismissing the case, however, the Court of Appeals panel granted Newman-Green's motion, which it had invited, to amend the complaint to drop Bettison as a party, thereby producing complete diversity under § 1332(a)(2). 832 F.2d. 417 (1987). The panel, in an opinion by Judge Easterbrook, relied both on 28 U.S.C. §1653 and on Rule 21 of the Federal Rules of Civil Procedure as sources of its authority to grant this motion. The panel noted that, because the guarantors are jointly and severally liable, Bettison is not an indispensable party, and dismissing him would not prejudice the remaining guarantors. 832 F.2d. at 420, citing Fed.Rule Civ.Proc. 19(b). The panel then proceeded to the merits of the case, ruling in Newman-Green's favor in large part, but remanding to allow the District Court to quantify damages and to resolve certain minor issues.{2}*
> *[Newman-Green v. Alfonso Larrain, 490 U.S. 826 (1989)]*

Notice the above case dealt with federal franchises instead of constitutional rights, because they invoked STATUTORY diversity under 28 U.S.C. §1332 instead of Constitutional diversity under Article III, Section 2. Statutory diversity under 28 U.S.C. §1332 is for STATUTORY "U.S. citizens". Constitutional diversity under Article III, Section 2 is for CONSTITUTIONAL "citizens of the United States" under the Fourteenth Amendment.

If you would like a much more thorough discussion of all of the nuances of the Cook case, we strongly recommend the following:

> *Federal Jurisdiction*, Form #05.018, Section 6
> http://sedm.org/Forms/FormIndex.htm

Here is another HUGE clue about what they think a "U.S. citizen" really is in federal statutes. Look at the definition below, and then consider that you CAN'T own a human being as property. That's called slavery:

> TITLE 46 > Subtitle V > Part A > CHAPTER 505 > § 50501
> §50501. Entities deemed citizens of the United States
>
> (a) **In General.—**
>
> In this subtitle, **a corporation, partnership, or association is deemed to be a citizen of the United States only if the controlling interest is owned by citizens of the United States.** However, if the corporation, partnership, or association is operating a vessel in the coastwise trade, at least 75 percent of the interest must be owned by citizens of the United States.

Now look at what the U.S. Supreme Court held about "ownership" of human beings. You can't "own" a human being as chattel. The Thirteenth Amendment prohibits that. Therefore, the statutory "U.S. citizen" they are talking about above is an instrumentality and public office within the United States. They can only tax, regulate, and legislate for PUBLIC objects and public offices of the United States under Article 4, Section 3, Clause 2. The ability to regulate PRIVATE conduct of human beings has repeatedly been held by the U.S. Supreme Court to be "repugnant to the constitution" and beyond the jurisdiction of Congress.

> **"It [the contract] is, in substance and effect, a contract for servitude, with no limitation but that of time; leaving the master to determine what the service should be, and the place where and the person to whom it should be rendered. Such a contract, it is scarcely necessary to say, is against the policy of our institutions and laws. If such a sale of service could be lawfully made for five years, it might, from the same reasons, for ten, and so for the term of one's life. The door would thus be opened for a species of servitude inconsistent with the first and fundamental article of our declaration of rights, which, proprio vigore, not only abolished every vestige of slavery then existing in the commonwealth, but rendered every form of it thereafter legally impossible.** That article has always been regarded, not simply as the declaration of an abstract principle, but as having the active force and conclusive authority of law.' **Observing that one who voluntarily subjected himself to the laws of the state must find in them the rule of restraint as well as the rule of action, the court proceeded: 'Under this contract the plaintiff had no claim for the labor of the servant for the term of five years, or for any term whatever. She was under no legal obligation to remain in his service. There was no time during which her service was due to the plaintiff, and during which she was kept from such service by the acts of the defendants.'**
>
> *[. . .]*
>
> Under the contract of service it was at the volition of the master to entail service upon these appellants for an indefinite period. So far as the record discloses, it was an accident that the vessel came back to San Francisco when it did. By the shipping articles, the appellants could not quit the vessel until it returned to a port of the *296 United States, and such return depended absolutely upon the will of the master. **He had only to land at foreign ports, and keep the vessel away from the United States, in order to prevent the appellants from leaving his service.**
>
> ***[. . .]***
>
> **The supreme law of the land now declares that involuntary servitude, except as a punishment for crime, of which the party shall have been duly convicted, shall not exist anywhere within the United States.**
> [Robertson v. Baldwin, 165 U.S. 275, 17 S.Ct. 326 (U.S. 1897)]

Federal courts also frequently use the phrase "privileges and immunities of citizens of the United States". Below is an example:

> *"**The privileges and immunities of citizens of the United States do not necessarily include all the rights protected by the first eight amendments to the Federal Constitution against the powers of the Federal Government**.*
>
> *The trial of a person accused as a criminal by a jury of only eight persons instead of twelve, and his subsequent imprisonment after conviction do not abridge his privileges and immunities under the Constitution as a citizen of the United States and do not deprive him of his liberty without due process of law."*
> *[*Maxwell v. Dow, 176 U.S. 581 (1899)*]*

Note that the "citizen of the United States**" described above is a statutory rather than constitutional citizen, which is why the court admits that the rights of such a person are inferior to those possessed by a "citizen" within the meaning of the United States Constitution. A constitutional but not statutory citizen is, in fact, NOT "privileged" in any way and none of the rights guaranteed by the Constitution can truthfully be called "privileges" without violating the law. It is a tort and a violation of due process, in fact, to convert rights protected by the Constitution and the common law into "privileges" or franchises or "public rights" under statutory law without at least your consent, which anyone in their right mind should NEVER give.

> *"It has long been established that a State may not impose a penalty upon those who exercise a right guaranteed by the Constitution." Frost & Frost Trucking Co. v. Railroad Comm'n of California, 271 U.S. 583. "Constitutional rights would be of little value if they could be indirectly denied,' Smith v. Allwright, 321 U.S. 649, 644, or manipulated out of existence [by converting them into statutory "privileges"/franchises],' Gomillion v. Lightfoot, 364 U.S. 339, 345."*
> *[Harman v. Forssenius, 380 U.S 528 at 540, 85 S.Ct. 1177, 1185 (1965)]*

It is furthermore proven in the following memorandum of law that civil statutory law pertains almost exclusively to government officers and employers and cannot and does not pertain to human beings or private persons not engaged in federal franchises/privileges:

Why Statutory Civil Law is Law for Government and Not Private Persons, Form #05.037 http://sedm.org/Forms/FormIndex.htm

Consequently, if a court refers to "privileges and immunities" in relation to you, chances are they are presuming, usually FALSELY, that you are a statutory "U.S. citizen" and NOT a constitutional citizen. If you want to prevent them from making such false presumptions, we recommend attaching the following forms at least to your initial complaint and/or response in any action in court:

1. *Federal Pleading/Motion/Petition Attachment*, Litigation Tool #01.002
 http://sedm.org/Litigation/LitIndex.htm
2. *Affidavit of Citizenship, Domicile, and Tax Status*, Form #02.001
 http://sedm.org/Forms/FormIndex.htm

4.5 U.S. v. Valentine, 288 F.Supp. 958, 980 (1968)

In U.S. v. Valentine, at page 980, the court admitted that:

> *"...The only absolute and unqualified right of citizenship is to residence within territorial boundaries of United States; a citizen cannot be either deported or denied re-entry..."*
> *[U.S. v. Valentine, 288 F.Supp. 957, 980 (1968)]*

Now, contrast the above excerpt to what appears on page 960, #26, where the phrase "United States citizen" is used. Thus confirming that when the court used the term "citizenship" within the body of the decision, they were referring exclusively to federal citizenship, and to domicile on federal territory. "Residence", after all, means domicile RATHER than the "nationality" of the person.

Note that they use the word "residence", which means consent to the civil laws of that place as defined in the I.R.C., rather than simply "physical presence". And "residence" is associated with "aliens" and not constitutional citizens in the I.R.C. In other words, the only thing you are positively allowed to do as a "U.S. citizen" is:

1. Lie about your status by calling yourself a privileged ALIEN with no rights.

2. Consent to be governed by the civil laws of legislatively foreign jurisdiction, the District of Criminals by falsely calling yourself a “resident”.

> *Title 26: Internal Revenue*
> *PART 1—INCOME TAXES*
> *nonresident alien individuals*
> *§ 1.871-2 Determining residence of alien individuals.*
>
> *(B) Residence defined.*
>
> ***An alien actually present in the United States who is not a mere transient or sojourner*** *is a resident of the United States for purposes of the income tax. Whether he is a transient is determined by his intentions with regard to the length and nature of his stay. A mere floating intention, indefinite as to time, to return to another country is not sufficient to constitute him a transient. If he lives in the United States and has no definite intention as to his stay, he is a resident. One who comes to the United States for a definite purpose which in its nature may be promptly accomplished is a transient but, if his purpose is of such a nature that an extended stay may be necessary for its accomplishment, and to that end the alien makes his home temporarily in the United States, he becomes a resident, though it may be his intention at all times to return to his domicile abroad when the purpose for which he came has been consummated or abandoned. An alien whose stay in the United States is limited to a definite period by the immigration laws is not a resident of the United States within the meaning of this section, in the absence of exceptional circumstances.*

There is NO statutory definition of "residence" that describes the place of DOMICILE of a CONSTITUTIONAL but not STATUTORY Citizen. The only people who can have a "residence" are "aliens" in the Internal Revenue Code (I.R.C.). Aliens, in fact, are the ONLY subject of the I.R.C. Citizens are only mentioned in 26 U.S.C. §911, and in that capacity, they too are "aliens" in relation to the foreign country they are in who connect to the I.R.C. as aliens under a tax treaty with the country they are in.

If this same statutory “U.S. citizen”, as the courts describes him, exercises their First Amendment right of freedom from compelled association by declaring themselves a transient foreigner or nonresident, they don’t have a “residence” as legally defined. Hence, the implication of the above ruling is that THEY can be deported because they refuse to contract with the government under what the courts call “the social compact”.

> *When one becomes a member of society, he necessarily parts with some rights or privileges which, as an individual not affected by his relations to others, he might retain.* ***"A body politic," as aptly defined in the preamble of the Constitution of Massachusetts, "is a social compact by which the whole people covenants with each citizen, and each citizen with the whole people, that all shall be governed by certain laws for the common good." This does not confer power upon the whole people to control rights which are purely and exclusively private, Thorpe v. R. & B. Railroad Co., 27 Vt. 143; but it does authorize the establishment of laws requiring each citizen to so conduct himself, and so use his own property, as not unnecessarily to injure another. This is the very essence of government, and 125*125 has found expression in the maxim sic utere tuo ut alienum non lædas. From this source come the police powers, which, as was said by Mr. Chief Justice Taney in the License Cases, 5 How. 583, "are nothing more or less than the powers of government inherent in every sovereignty, . . . that is to say, . . . the power to govern men and things."***
> *[Munn. v. Illinois, 94 U.S. 113 (1876),*
> *SOURCE: http://scholar.google.com/scholar_case?case=6419197193322400931]*

In other words, if you don’t politically associate by choosing or consenting to a domicile or “residence” and thereby give up rights that the Constitution is SUPPOSED to protect, then you can be deported. This works a purpose OPPOSITE to the reason for which civil government is established, which is to PROTECT, not compel the surrender, of PRIVATE rights.

4.6 Summary

It therefore appears to us that a statutory “citizen” or “resident” is really just a public office in the U.S. government. That office is a franchisee with an effective domicile on federal territory not within any state of the Union. The corrupt courts are unlawfully allowing the creation of this public office, legal “person”, “res”, and franchisee using your consent. They have thus made a profitable business out of alienating rights that are supposed to be unalienable, in violation of the legislative intent of the Declaration of Independence and the U.S. Constitution. The money changers., who are priests of the civil religion of socialism called “judges”, have taken over the civic temple called government and made it into a WHOREHOUSE for their own lucrative PERSONAL gain:

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> *"But those who desire to be rich fall into temptation and a snare, and into many foolish and harmful lusts which drown men in destruction and perdition.* ***For the love of money is a root of all kinds of evil, for which some have strayed from the faith in their greediness, and pierced themselves through with many sorrows.****"*
> *[1 Tim. 6: 9-10, Bible, NKJV]*

> *"franchise court. Hist. A privately held court that (usu.) exists by virtue of a royal grant [privilege], with jurisdiction over a variety of matters, depending on the grant and whatever powers the court acquires over time. In 1274, Edward I abolished many of these feudal courts by forcing the nobility to demonstrate by what authority (quo warranto) they held court. If a lord could not produce a charter reflecting the franchise, the court was abolished. - Also termed courts of the franchise.*
>
> *Dispensing justice was profitable. Much revenue could come from the fees and dues, fines and amercements. This explains the growth of the second class of feudal courts, the Franchise Courts. They too were private courts held by feudal lords. Sometimes their claim to jurisdiction was based on old pre-Conquest grants ... But many of them were, in reality, only wrongful usurpations of private jurisdiction by powerful lords. These were put down after the famous Quo Warranto enquiry in the reign of Edward 1." W.J.V. Windeyer, Lectures on Legal History 56-57 (2d ed. 1949)."*
> *[Black's Law Dictionary, Seventh Edition, p. 668]*

Notice the above language: *"private courts held by feudal lords"*. Judges who enforce their own franchises within the courtroom by imputing a franchise status against those protected by the Constitution who are not lawfully allowed to alienate their rights or give them away are acting in a *private capacity* to benefit themselves personally. That private capacity is associated with a de facto government in which greed is the only uniting factor. Contrast this with love for our neighbor, which is the foundation of a de jure government. When Judges act in such a private, de facto capacity, the following results:

1. The judge is the "feudal lord" and you become his/her personal serf.
2. Rights become privileges, and the transformation usually occurs at the point of a gun held by a corrupt officer of the government intent on enlarging his/her pay check or retirement check. And he/she is a CRIMINAL for proceeding with such a financial conflict of interest:

> *TITLE 18 > PART I > CHAPTER 11 > § 208*
> *§ 208. Acts affecting a personal financial interest*
>
> *(a) Except as permitted by subsection (b) hereof,* ***whoever, being an officer or employee of the executive branch of the United States Government, or of any independent agency of the United States****, a Federal Reserve bank director, officer, or employee, or an officer or employee of the District of Columbia, including a special Government employee,* ***participates personally and substantially as a Government officer or employee, through decision, approval, disapproval, recommendation, the rendering of advice, investigation, or otherwise, in a judicial or other proceeding, application, request for a ruling or other determination, contract, claim, controversy, charge, accusation, arrest, or other particular matter in which, to his knowledge, he, his spouse, minor child, general partner, organization in which he is serving as officer, director, trustee, general partner or employee, or any person or organization with whom he is negotiating or has any arrangement concerning prospective employment, has a financial [or personal/private] interest****—*
>
> *Shall be subject to the penalties set forth in section 216 of this title.*

3. Equality and equal protection are replaced with the following consequences under a franchise:
 3.1. Privilege.
 3.2. Partiality.
 3.3. Bribes.
 3.4. Servitude and slavery.
 3.5. Hypocrisy.
4. The franchise statutes are the "bible" of a pagan state-sponsored religion. The bible isn't "law" for non-believers, and civil franchise statutes aren't "law" for those who are not consensually occupying a public office in the government as a franchisee called a "citizen", "resident", "taxpayer", "driver", etc. See:

 Socialism: The New American Civil Religion, Form #05.016
 http://sedm.org/Forms/FormIndex.htm

5. You join the religion by "worshipping", and therefore obeying what are actually voluntary franchises. The essence of "worship", in fact, is obedience to the dictates of a superior being. Franchises make your public servants into superior beings and replace a republic with a dulocracy. "Worship" and obedience becomes legal evidence of consent to the franchise.

> ***"And the Lord said to Samuel, "Heed the voice of the people in all that they say to you; for they have rejected Me [God], that I should not reign over them.*** *According to all the works which they have done since the day that I brought them up out of Egypt, even to this day—**with which they have forsaken Me and served [as PUBLIC OFFICERS/FRANCHISEES] other gods [Rulers or Kings, in this case]—so they are doing to you also** [government becoming idolatry]."*
> *[1 Sam 8:4-20, Bible, NKJV]*

6. "Presumption" serves as a substitute for religious "faith" and is employed to create an unequal relationship between you and your public servants. It turns the citizen/public servant relationship with the employer/employee relationship, where you are the employee of your public servant. See:

 Presumption: Chief Weapon for Unlawfully Enlarging Federal Jurisdiction, Form #05.017
 http://sedm.org/Forms/FormIndex.htm
7. "Taxes" serve as a substitute for "tithes" to the state-sponsored church of socialism that worships civil rulers, men and creations of men instead of the true and living God.
8. The judge's bench becomes:
 8.1. An altar for human sacrifices, where YOU and your property are the sacrifice. All pagan religions are based on sacrifice of one kind or another.
 8.2. What the Bible calls a "throne of iniquity":

> *"**Shall the throne of iniquity, which devises evil by law, have fellowship with You?** They gather together against the life of the righteous, and condemn innocent blood. But the Lord has been my defense, and my God the rock of my refuge. He has brought on them their own iniquity, and shall cut them off in their own wickedness; **the Lord our God shall cut them off.**"*
> *[Psalm 94:20-23, Bible, NKJV]*

9. All property belongs to this pagan god and you are just a custodian over it as a public officer. You have EQUITABLE title but not LEGAL title to the property you FALSELY BELIEVE belongs to you. The Bible franchise works the same way, because the Bible says the Heavens and the Earth belong the LORD and NOT to believers. Believers are "trustees" over God's property under the Bible trust indenture:

> *"Indeed heaven and the highest heavens belong to the LORD your God, also the earth with all that is in it."*
> *[Deut. 10:15, Bible, NKJV]*
>
> *"The ultimate ownership of all property is in the State; individual so-called "ownership" is only by virtue of Government, i.e., law, amounting to mere user; and use must be in accordance with law and subordinate to the necessities of the State."*
> *[Senate Document #43, Senate Resolution No. 62, p. 9, paragraph 2, 1933*
> *SOURCE: http://www.famguardian.org/Subjects/MoneyBanking/History/SenateDoc43.pdf]*

10. The court building is a "church" where you "worship", meaning obey, the pagan idol of government.

> *"Now, Mr. Speaker, **this Capitol is the civic temple of the people**, and we are here by direction of the people to reduce the tariff tax and enact a law in the interest of all the people. This was the expressed will of the people at the polls, and you promised to carry out that will, but **you have not kept faith with the American people**."*
> *[44 Cong.Rec. 4420, July 12, 1909; Congressman Heflin talking about the enactment of the Sixteenth Amendment]*

11. The licensed attorneys are the "deacons" of the state sponsored civil religion who conduct the "worship services" directed at the judge at his satanic altar/bench. They are even ordained by the "chief priests" of the state supreme court, who are the chief priests of the civil religion.
12. Pleadings are "prayers" to this pagan deity. Even the U.S. Supreme Court still calls pleadings "prayers", and this is no accident.
13. Like everything that SATAN does, the design of this state-sponsored satanic church of socialism that worships men instead of God is a cheap IMITATION of God's design for de jure government found throughout the Holy Bible.

NOW do you understand why in Britain, judges are called "your worship"? Because they are like gods:

> *"**worship 1**. **chiefly Brit: a person of importance—used as a title for various officials (as magistrates and some mayors)** **2:** reverence offered a divine being or supernatural power; also: an act of expressing such reverence **3:** a form of religious practice with its creed and ritual **4:** extravagant respect or admiration for or devotion to an object of esteem <~ the dollar>."*
> *[Webster's Ninth New Collegiate Dictionary, 1983, ISBN 0-87779-510-X, p. 1361]*

Psalm 82 (Amplified Bible)
A Psalm of Asaph.

GOD STANDS *in the assembly [of the representatives] of God;* ***in the midst of the magistrates or judges*** *He gives judgment [as] among the gods.*

How long will you [magistrates or judges] judge unjustly and show partiality to the wicked? *Selah [pause, and calmly think of that]!*

Do justice to the weak (poor) and fatherless; maintain the rights of the afflicted and needy.

Deliver the poor and needy; rescue them out of the hand of the wicked.

[The magistrates and judges] know not, neither will they understand; they walk on in the darkness [of complacent satisfaction]; all the foundations of the earth [the fundamental principles upon which rests the administration of justice] are shaking.

I said, You are gods [since you judge on My behalf, as My representatives]; indeed, all of you are children of the Most High.

But you shall die as men and fall as one of the princes.

Arise, O God, judge the earth! For to You belong all the nations.
[Psalm 82, Amplified Bible]

5. STATUTORY "CITIZENS" v. STATUTORY "NATIONALS"

Within federal statutory law, two words are used to describe citizenship: "citizen" and "national". There is a world of difference between these two terms and it is extremely important to understand the distinctions before we proceed further. A statutory "citizen" is someone who was born somewhere within the country and who and maintains a domicile within a political jurisdiction, who owes allegiance to the "sovereign" within that jurisdiction, and who participates in the functions of government by voting and serving on jury duty.

citizen. *One who, under the Constitution and laws of the United States[***], or of a particular state, is a* ***member of the political community, owing allegiance and being entitled to the enjoyment of full civil rights.*** *All persons born or naturalized in the United States[***], and subject to the jurisdiction thereof, are citizens of the United States[***] and of the state wherein they reside. U.S. Const., 14th Amend. See Citizenship.*

"Citizens" are members of a political community who, in their associated capacity, have *established or* ***submitted themselves to the dominion of a government [by giving up their rights] for the promotion of their general welfare and the protection of their individual as well as collective rights.*** *Herriott v. City of Seattle, 81 Wash.2d. 48, 500 P.2d. 101, 109.*

*The term may include or apply to children of alien parents from in United States[***], Von Schwerdtner v. Piper, D.C.Md., 23 F.2d. 862, 863; U.S. v. Minoru Yasui, D.C.Or., 48 F.Supp. 40, 54; children of American citizens born outside United States, Haaland v. Attorney General of United States, D.C.Md., 42 F.Supp. 13, 22; Indians, United States v. Hester, C.C.A.Okl., 137 F.2d. 145, 147; National Banks, American Surety Co. v. Bank of California, C.C.A.Or., 133 F.2d. 160, 162; nonresident who has qualified as administratrix of estate of deceased resident, Hunt v. Noll, C.C.A.Tenn., 112 F.2d. 288, 289. However, neither the United States nor a state is a citizen for purposes of diversity jurisdiction. Jizemerjian v. Dept of Air Force, 457 F.Supp. 820. On the other hand, municipalities and other local governments are deemed to be citizens. Rieser v. District of Columbia, 563 F.2d. 462. A corporation is not a citizen for purposes of privileges and immunities clause of the Fourteenth Amendment. D.D.B. Realty Corp. v. Merrill, 232 F.Supp. 629, 637.*

*Under diversity statute [28 U.S.C. §1332], which mirrors U.S. Const, Article III's diversity clause, a person is a "citizen of a state" if he or she is a citizen of the United States[***] and a domiciliary of a state of the United States[***]. Gibbons v. Udaras na Gaeltachta, D.C.N.Y., 549 F.Supp. 1094, 1116. "*
[Black's Law Dictionary, Sixth Edition, p. 244]

The key thing to notice is that those who are "citizens" within a *legislative jurisdiction* are also subject to ***all*** civil laws within that *legislative jurisdiction*. Note the phrase above:

> *"'Citizens' are members of a political community who, in their associated capacity, **have…submitted themselves to the dominion of a government [and all its laws] for the promotion of their general welfare** and the protection of their individual as well as collective rights."*
> *[Black's Law Dictionary, Sixth Edition, p. 244]*

The only people who are "subject to" federal law, and therefore "citizens" under federal law, are those people who have voluntarily chosen a domicile where the federal government has exclusive *legislative/general jurisdiction*, which exists only within the federal zone, under Article 1, Section 8, Clause 17 of the Constitution and 40 U.S.C. §§3111 and 3112. Within the Internal Revenue Code, people born in the federal zone or domiciled there are described as being "subject to ***its*** jurisdiction" rather than "subject to ***the*** jurisdiction" as mentioned in the Fourteenth Amendment. Hence, THIS type of "citizen" is NOT a Constitutional citizen but a Statutory citizen domiciled on federal territory:

> *26 C.F.R. §1.1-1 Income tax on individuals*
>
> *(c) Who is a citizen.*
>
> ***Every person born or naturalized in the [federal] United States[**] and subject to its jurisdiction is a citizen**. For other rules governing the acquisition of citizenship, see chapters 1 and 2 of title III of the Immigration and Nationality Act (8 U.S.C. §1401–1459). "*
> *[26 C.F.R. §1.1-1(c)]*

This area includes the District of Columbia, the territories and possessions of the United States**, and the federal areas within states, which are all "foreign" with respect to states of the Union for the purposes of federal legislative jurisdiction. If you were born in a state of the Union and are domiciled there, you are not subject to federal jurisdiction unless the land you maintain a domicile on was ceded by the state to the federal government. Therefore, you are not and cannot be a "citizen" under federal law! If you aren't a "citizen", then you also can't be claiming your children as "citizens" on IRS returns or applying for government numbers for them either!

A "national", on the other hand, is simply someone who claims allegiance to the political body formed within the geographical boundaries and territory that define a "state".

> *8 U.S.C. §1101: Definitions*
>
> *(a) As used in this chapter—*
>
> *(21) The term "national" means a person owing permanent allegiance to a state.*

A "state" is then defined as follows:

> *"**State**. **A people permanently occupying a fixed territory bound together by common-law habits and custom into one body politic** exercising, through the medium of an organized government, independent sovereignty and control over all persons and things within its boundaries, capable of making war and peace and of entering into international relations with other communities of the globe. United States v. Kusche, D.C.Cal., 56 F.Supp. 201 207, 208. The organization of social life which exercises sovereign power in behalf of the people. Delany v. Moralitis, C.C.A.Md., 136 F.2d. 129, 130. **In its largest sense, a "state" is a body politic or a society of men.** Beagle v. Motor Vehicle Acc. Indemnification Corp., 44 Misc.2d. 636, 254 N.Y.S.2d 763, 765. **A body of people occupying a definite territory and politically organized under one government.** State ex re. Maisano v. Mitchell, 155 Conn. 256, 231 A.2d. 539, 542. A territorial unit with a distinct general body of law. Restatement, Second, Conflicts, §3. Term may refer either to body politic of a nation (e.g. United States) or to an individual government unit of such nation (e.g. California).*
>
> *[…]*
>
> ***The people of a state, in their collective capacity**, considered as the party wronged by a criminal deed; the public; as in the title of a cause, "The State vs. A.B."*
> *[Black's Law Dictionary, Sixth Edition, p. 1407]*

So when we claim "allegiance" as a "national", we are claiming allegiance to a "state", which is the collection of all people within the geographical boundaries of a political jurisdiction, who are the sovereigns within our system of government. Note that as a "national", we are NOT claiming allegiance to the *government* or anyone serving us within the government in their official capacity as "public servants". As a "national", we are instead claiming allegiance to the People within the

legislative jurisdiction of the geographic region. This is because in America, the People are the Sovereigns, and not the government who serves them. All sovereignty and authority emanates from We the People *as human beings*:

> *"The words 'people of the United States[***]' and 'citizens,' are synonymous terms, and mean the same thing. They both describe the political body who, according to our republican institutions, form the sovereignty, and who hold the power and conduct the government through their representatives. They are what we familiarly call the 'sovereign people,' and every citizen is one of this people, and a constituent member of this sovereignty. ..."*
> *[Boyd v. State of Nebraska, 143 U.S. 135 (1892)]*

> *"From the differences existing between feudal sovereignties and Government founded on compacts, it necessarily follows that their respective prerogatives must differ.* ***Sovereignty is the right to govern; a nation or State-sovereign is the person or persons in whom that resides****.* ***In Europe the sovereignty is generally ascribed to the Prince; here it rests with the people; there, the sovereign actually administers the Government; here, never in a single instance; our Governors are the agents of the people, and at most stand in the same relation to their sovereign, in which regents in Europe stand to their sovereigns.*** *Their Princes have personal powers, dignities, and pre-eminences,* ***our rulers have none but official; nor do they partake in the sovereignty otherwise, or in any other capacity, than as private citizens.****"*
> *[Chisholm, Ex'r. v. Georgia, 2 Dall. (U.S.) 419, 1 L.Ed. 454, 457, 471, 472) (1794)]*

The Supreme Court of the United States** described and compared the differences between "citizenship" and "allegiance" very succinctly in the case of *Talbot v. Janson*, 3 U.S. 133 (1795):

> *"Yet, it is to be remembered, and that whether in its real origin, or in its artificial state, allegiance, as well as fealty, rests upon lands, and it is due to persons. Not so, with respect to Citizenship, which has arisen from the dissolution of the feudal system and is a substitute for allegiance, corresponding with the new order of things.* ***Allegiance and citizenship, differ, indeed, in almost every characteristic. Citizenship is the effect of compact; allegiance is the offspring of power and necessity. Citizenship is a political tie; allegiance is a territorial tenure. Citizenship is the charter of equality; allegiance is a badge of inferiority. Citizenship is constitutional; allegiance is personal. Citizenship is freedom; allegiance is servitude. Citizenship is communicable; allegiance is repulsive. Citizenship may be relinquished; allegiance is perpetual. With such essential differences, the doctrine of allegiance is inapplicable to a system of citizenship; which it can neither serve to controul, nor to elucidate.*** *And yet, even among the nations, in which the law of allegiance is the most firmly established, the law most pertinaciously enforced, there are striking deviations that demonstrate the invincible power of truth, and the homage, which, under every modification of government, must be paid to the inherent rights of man…..****The doctrine is, that allegiance cannot be due to two sovereigns; and taking an oath of allegiance to a new, is the strongest evidence of withdrawing allegiance from a previous, sovereign****…."*
> *[Talbot v. Janson, 3 U.S. 133 (1795); From the syllabus but not the opinion; SOURCE: http://www.law.cornell.edu/supct/search/display.html?terms=choice%20or%20conflict%20and%20law&url=/supct/html/historics/USSC_CR_0003_0133_ZS.html]*

A "national" is not subject to the exclusive *legislative civil jurisdiction* and general sovereignty of the political body, but indirectly is protected by it and may claim its protection when abroad. For instance, when we travel overseas, we are known in foreign countries as "American Nationals" or:

1. "nationals", or "state nationals", or "nationals of the United States *of America*" or "United States***" under 8 U.S.C. §1101(a)(21) if we were born in and are domiciled in a state of the Union.
2. "nationals of the United States**" under 8 U.S.C. §1101(a)(22)(B) , if we were born in a federal possession, such as American Samoa or Swains Island.
3. "nationals but not citizens" under 8 U.S.C. §1452 if domiciled within federal possessions.

Here is the definition of a "national of the United States**" that demonstrates this, and note paragraph (a)(22)(B):

> *TITLE 8 > CHAPTER 12 > SUBCHAPTER I > Sec. 1101.*
> *Sec. 1101. - Definitions*
>
> *(a) As used in this chapter—*
>
> *(22) The term "national of the United States[**]" means*
>
> *(A) a citizen of the United States[**], or*
>
> ***(B) a person who, though not a citizen of the United States[**], owes permanent [but not necessarily exclusive] allegiance to the United States[**].***

Consequently, the only time a “national” can also be described as a “citizen” is when he/she is domiciled within the territorial and legislative jurisdiction of the political body to which he/she claims allegiance. Being a “national” is therefore an attribute and a prerequisite of being a “citizen”, and the term can be used to describe “citizens”, as indicated above in paragraph (A). For instance, 8 U.S.C. §1401 describes the citizenship of those born within or residing within federal jurisdiction, and note that these people are identified as both “citizens” *and* “nationals”.

> *TITLE 8 > CHAPTER 12 > SUBCHAPTER III > Part I > Sec. 1401.*
> *Sec. 1401. - Nationals **and** citizens of United States[**] at birth*
>
> *The following shall be nationals and citizens of the United States[**] at birth:*
>
> *(a) a person born in the United States[**], and subject to the jurisdiction thereof;*
>
> *(b) a person born in the United States[**] to a member of an Indian, Eskimo, Aleutian, or other aboriginal tribe: Provided, That the granting of citizenship under this subsection shall not in any manner impair or otherwise affect the right of such person to tribal or other property;*

When statutory “citizens” move their domicile outside of the exclusive legislative jurisdiction of the “state” to which they are a member and cease to participate directly in the political functions of that “state”, however, they become “nationals” but not “citizens” under federal law. This is confirmed by the definition of “citizen of the United States[***]” found in Section 1 of the Fourteenth Amendment:

> *U.S. Constitution:*
> *Fourteenth Amendment*
>
> *Section. 1. All persons **born or naturalized in the United States[***] and subject to the jurisdiction thereof, are citizens of the United States[***]** and of the State wherein they reside.*

As you will learn later, the Supreme Court held in the case of *U.S. v. Wong Kim Ark*, 169 U.S. 649 (1898) that the term “subject to **the** jurisdiction” means “subject to the ***political jurisdiction***”, which is very different from “subject to the ***legislative jurisdiction***”. Note from the above that being a constitutional “citizen” has two prerequisites: “born within the [territorial] jurisdiction” and “***subject to the [political but not legislative] jurisdiction***”. The other noteworthy point to be made here is that the term "citizen" as used above is *not* used in the context of federal statutes or federal law, and therefore does *not* imply one is a "citizen" under federal law. The Constitution is what grants the authority to the federal government to write federal statutes, but it is not a “federal statute”. The term "citizen", in the context of the Constitution, simply refers to the political community created by that Constitution, which in this case is the federation of united states*** called the "United States***", and not the United States** government itself.

When you move your domicile outside the exclusive territorial jurisdiction of the political body and do not participate in its political functions as a jurist or a voter, then you are no longer “subject to the [political] jurisdiction”. Likewise, because you are outside territorial limits of the political body, you are also *not* subject in any degree to its ***legislative jurisdiction*** either:

> *"Judge Story, in his treatise on the Conflicts of Laws, lays down, as the basis upon which all reasonings on the law of comity must necessarily rest, the following maxims: First 'that **every nation possesses an exclusive sovereignty and jurisdiction within its own territory**'; secondly, '**that no state or nation can by its laws directly affect or bind property out of its own territory, or bind persons not resident therein, whether they are natural born subjects or others.**' The learned judge then adds: 'From these two maxims or propositions there follows a third, and that is that whatever force and obligation the laws of one country have in another depend solely upon the laws and municipal regulation of the latter; that is to say, upon its own proper jurisdiction and polity, and upon its own express or tacit consent." Story on Conflict of Laws §23."*
> *[Baltimore & Ohio Railroad Co. v. Chambers, 73 Ohio.St. 16, 76 N.E. 91, 11 L.R.A., N.S., 1012 (1905)]*

The word “territory” above needs further illumination. States of the Union are NOT considered “territories” or “territory” under federal law. This is confirmed by the Corpus Juris Secundum legal encyclopedia, which says on this subject the following:

> *Volume 86, Corpus Juris Secundum Legal Encyclopedia*
> *Territories*
> *§1. Definitions, Nature, and Distinctions*

> ***The word 'territory,' when used to designate a political organization has a distinctive, fixed, and legal meaning under the political institutions of the United States[***], and does not necessarily include all the territorial possessions of the United States[**], but may include only the portions thereof which are organized and exercise governmental functions under act of congress."***
>
> *While the term 'territory' is often loosely used, and has even been construed to include municipal subdivisions of a territory, and 'territories of the' United States[**] is sometimes used to refer to the entire domain over which the United States[**] exercises dominion, the word 'territory,' when used to designate a political organization, has a distinctive, fixed, and legal meaning under the political institutions of the United States[**], and the term 'territory' or 'territories' does not necessarily include only a portion or the portions thereof which are organized and exercise government functions under acts of congress. The term 'territories' has been defined to be political subdivisions of the outlying dominion of the United States[**], and in this sense the term 'territory' is not a description of a definite area of land but of a political unit governing and being governed as such. The question whether a particular subdivision or entity is a territory is not determined by the particular form of government with which it is, more or less temporarily, invested.*
>
> ***'Territories' or 'territory' as including 'state' or 'states." While the term 'territories of the' United States[**] may, under certain circumstances, include the states of the Union, as used in the federal Constitution and in ordinary acts of congress "territory" does not include a foreign state.***
>
> ***As used in this title, the term 'territories' generally refers to the political subdivisions created by congress, and not within the boundaries of any of the several states.***
> *[86 Corpus Juris Secundum (C.J.S.), Territories (2003)]*

Notice that the above legal encyclopedia definition of "territory" refers to states of the Union as "foreign states"! A "foreign state" is a state that is not subject to the legislative jurisdiction or laws of the state that wrote the statute in question, which in this case is the federal government. The Supreme Court also agreed with the conclusions within this section so far, in the cite next. Notice how they use the terms "citizenship" and "nationality" or "national" interchangeably, because as you will learn later in section 10, they are equivalent:

> *"The term 'dual nationality' needs exact appreciation. It refers to the fact that two States make equal claim to the allegiance of an individual at the same time. Thus, one State may claim his allegiance because of his birth within its territory, and the other because at the time of his birth in foreign territory his parents were its nationals. The laws of the United States[**] purport to clothe persons with American citizenship by virtue of both principles.'*
>
> *"And after referring to the Fourteenth Amendment, U.S.C.A.Const., and the Act of February 10, 1855, R.S. 1993, 8 U.S.C.A. 6, the instructions continued: [307 U.S. 325, 345] 'It thus becomes important to note how far these differing claims of American nationality are fairly operative with respect to persons living abroad [or in states of the Union, which are ALSO foreign with respect to federal jurisdiction], whether they were born abroad or were born in the United States[***] of alien parents and taken during minority to reside in the territory of States to which the parents owed allegiance. **It is logical that, while the child remains or resides in territory of the foreign State [a state of the Union, in this case] claiming him as a national, the United States[**] should respect its claim to allegiance.** The important point to observe is that the doctrine of dual allegiance ceases, in American contemplation, to be fully applicable after the child has reached adult years. Thereafter two States may in fact claim him as a national. Those claims are not, however, regarded as of equal merit, because one of the States may then justly assert that his relationship to itself as a national is, by reason of circumstances that have arisen, inconsistent with, and reasonably superior to, any claim of allegiance asserted by any other State. Ordinarily the State in which the individual retains his residence after attaining his majority has the superior claim. The statutory law of the United States[**] affords some guidance but not all that could be desired, because it fails to announce the circumstances when the child who resides abroad within the territory of a State reasonably claiming his allegiance forfeits completely the right to perfect his inchoate right to retain American citizenship."*
> *[Perkins v. Elg, 307 U.S. 325, 59 S.Ct. 884, 83 L.Ed. 1320 (1939)*

So when a human being is born within but domiciled outside the exclusive legislative jurisdiction or "general sovereignty" of a political body and does not participate *directly* in its political functions, then they are statutory "nationals" but not "citizens" of that political body. This is the condition of people born in and domiciled within states of the Union in regards to their federal citizenship:

1. State citizens maintain a domicile that is outside the territorial and exclusive legislative jurisdiction of the federal government. They are not subject to the police powers of the federal government.
2. State citizens do not participate **directly** in the political functions of the federal government.
 2.1. They are *not* allowed to serve as jurists in federal court, because they don't reside in a federal area within their state. They can only serve as jurists in state courts. Federal district courts routinely violate this limitation by not ensuring that the people who serve on federal juries in federal courts come from federal areas. If they observed

the law on this matter, they wouldn't have anyone left to serve on federal petit or grand juries! Therefore, they illegally use state DMV records to locate jurists and obfuscate the jury summons forms by asking if people are "U.S. citizens" without ever defining what it means!

2.2. They do not participate directly in federal elections. There are no separate federal elections and separate voting days and voting precincts for federal elections. State citizens only participate in state elections, and elect *representatives* who go to Washington to "represent" their interests *indirectly*.

A prominent legal publisher, West Publishing, agrees with the findings in this section. Here is what they say in their publication entitled *Conflicts In A Nutshell, Second Edition*:

> *In the United States[***], "domicile" and "residence" are the two major competitors for judicial attention, and the words are almost invariably used to describe the relationship that the person has to the state rather than the nation.* ***We use "citizenship" to describe the national relationship, and we generally eschew "nationality" (heard more frequently among European nations) as a descriptive term.***
> *[Conflicts In A Nutshell, Second Edition, David D. Siegel, West Publishing, 1994, ISBN 0-314-02952, p. 15]*

A human being who is a "national" with respect to a political jurisdiction and who does not maintain a legal domicile within the exclusive legislative or "general" jurisdiction of the political body is treated as a "nonresident alien" within federal law. He is a "nonresident" because he is not consensually or legally present within the territorial limits. He is an alien because he does not maintain a domicile in the federal United States** and therefore not subject to its civil legislative jurisdiction. For instance, a "national of the United States *** of America" born within and domiciled within a constitutional state or a "national of the United States**" born and domiciled within a possession are both treated as "nonresident aliens" within the Internal Revenue Code:

> *26 U.S.C. §7701(b)(1)(B) Definitions*
>
> *An individual is a nonresident alien if such individual is neither a citizen of the United States[**] nor a resident of the United States[**] (within the meaning of subparagraph (A)).*

At the same time, such a human being is *not* an "alien" under federal law, because a "nonresident alien" is defined as a human being who is neither a "citizen nor a resident", and that is exactly what a "national but not citizen" is. Further confirmation of this conclusion is found in the definition of "resident" in 26 U.S.C. §7701(b)(1)(A) , which defines a "resident" as an "alien". Since the definition of "nonresident alien" above excludes "residents", then it also excludes "aliens".

A picture is worth a thousand words. We'll now summarize the results of the preceding analysis to make it crystal clear for visually-minded readers:

Table 3: Citizenship summary

Citizenship	Defined in	Domicile in the federal zone?	Subject to *legislative jurisdiction*/police powers?	Subject to "*political jurisdiction*"?	A "nonresident alien"?
"citizen"	8 U.S.C. §1401	Yes	Yes	Yes	No
"resident"/"alien"	8 U.S.C. §1101(a)(3) 26 U.S.C. §7701(b)(1)(A)	Yes	Yes	No	No
"national"	8 U.S.C. §1101(a)(21)	No	No	Yes	Yes
"non-citizen national of the United States"	8 U.S.C. §1101(a)(22)	Yes	Yes	Yes	Yes

Table 4: Civil and political status

Location of birth	*Political status*	*Civil status if domiciled WITHIN "United States"*	*Civil status if domiciled WITHOUT "United States"*
"United States" per 8 U.S.C. §1101(a)(38), per 8 U.S.C. §1101(a)(36), 8 C.F.R.§215.1(f)	"**national of the United States**" per 8 U.S.C. §1101(a)(22)	Statutory "**citizen of the United States**" per 8 U.S.C. §1401; "United States person" per 26 U.S.C. §7701(a)(30)	"**non-ctizen national of the United States**" per 8 U.S.C. §1408, 8 U.S.C. §1452
"outlying possession of United States" per 8 U.S.C. §1101(a)(29)	"**national of the United States**" per 8 U.S.C. §1101(a)(22)	Statutory "**citizen of the United States**" per 8 U.S.C. §1401; "United States person" per 26 U.S.C. §7701(a)(30)	"**non-ctizen national of the United States**" per 8 U.S.C. §1408, 8 U.S.C. §1452
A Constitutional Union state	Constitutional "**citizen of the United States**" per 14th Amendment; **"national" of the United States of America** per 8 U.S.C. §1101(a)(21); "**alien**" per 8 U.S.C. §1101(a)(3)	"**resident**" (alien) per 26 U.S.C. §7701(b)(1)(A); "**United States person**" per 26 U.S.C. §7701(a)(30)	"**nonresident alien**" per 26 U.S.C. §7701(b)(1)(B)
A foreign country	Foreign "national" per 8 U.S.C. §1101(a)(21); "alien" per 8 U.S.C. §1101(a)(3)	"**resident**" (alien) per 26 U.S.C. §7701(b)(1)(A); "**United States person**" per 26 U.S.C. §7701(a)(30)	"**nonresident alien**" per 26 U.S.C. §7701(b)(1)(B)

The table below describes the affect that changes in domicile have on citizenship status in the case of both "foreign nationals" and "domestic nationals". A "domestic national" is anyone born anywhere within any one of the 50 states on nonfederal land or who was born in any territory or possession of the United States[**]. A "foreign national" is someone who was born anywhere outside of these areas. The jurisdiction mentioned in the right three columns is the "federal zone".

Table 5: Effect of domicile on citizenship status

	CONDITION		
Description	**Domicile WITHIN the FEDERAL ZONE and located in FEDERAL ZONE**	**Domicile WITHIN the FEDERAL ZONE and temporarily located abroad in foreign country**	**Domicile WITHOUT the FEDERAL ZONE and located WITHOUT the FEDERAL ZONE**
Location of domicile	"United States" per 26 U.S.C. §§7701(a)(9) and (a)(10), 7701(a)(39), 7408(d)	"United States" per 26 U.S.C. §§7701(a)(9) and (a)(10), 7701(a)(39), 7408(d)	Without the "United States" per 26 U.S.C. §§7701(a)(9) and (a)(10), 7701(a)(39), 7408(d)
Physical location	Federal territories, possessions, and the District of Columbia	Foreign nations ONLY (NOT states of the Union)	Foreign nations states of the Union Federal possessions
Tax Status	"U.S. Person" 26 U.S.C. §7701(a)(30)	"U.S. Person" 26 U.S.C. §7701(a)(30)	"Nonresident alien" 26 U.S.C. §7701(b)(1)(B)
Tax form(s) to file	IRS Form 1040	IRS Form 1040 plus 2555	IRS Form 1040NR: "alien individuals", "nonresident alien individuals" No filing requirement: "nonresident alien NON-individual"
Status if "national of the United States**" per 8 U.S.C. §1101(a)(22)	Citizen 8 U.S.C. §1401 (Not required to file if physically present in the "United States" because no statute requires it)	Citizen abroad 26 U.S.C. §911 (Meets presence test)	"non-citizen National" 8 U.S.C. §1101(a)(22)(B) 8 U.S.C. §1408 8 U.S.C. §1452
Status if FOREIGN or U.S.A. "national" pursuant to 8 U.S.C. §1101(a)(21)	"Resident alien" 26 U.S.C. §7701(b)(1)(A)	"Resident alien abroad" 26 U.S.C. §911 (Meets presence test)	"Nonresident alien individual" if a public officer in the U.S. government. 26 CFR §1.1441-1(c)(3)(ii) "Nonresident alien NON-individual" if NOT a public officer in the U.S. government

NOTES:

1. "United States" is defined as federal territory within 26 U.S.C. §§7701(a)(9) and (a)(10), 7701(a)(39), and 7408(d), and 4 U.S.C. §110(d). It does not include any portion of a Constitutional state of the Union.
2. The "District of Columbia" is defined as a federal corporation but not a physical place, a "body politic", or a de jure "government" within the District of Columbia Act of 1871, 16 Stat. 419, 426, Sec. 34. See: *Corporatization and Privatization of the Government*, Form #05.024; http://sedm.org/Forms/FormIndex.htm.
3. "nationals" of the United States of America who are domiciled outside of federal jurisdiction, either in a state of the Union or a foreign country, are "nationals" but not "citizens" under federal law. They also qualify as "nonresident aliens" under 26 U.S.C. §7701(b)(1)(B). See sections 4.11.2 of the *Great IRS Hoax*, Form #11.302 for details.
4. Temporary domicile in the middle column on the right must meet the requirements of the "Presence test" documented in IRS publications.
5. "FEDERAL ZONE"=District of Columbia and territories of the United States in the above table
6. The term "individual" as used on the IRS Form 1040 means an "alien" engaged in a "trade or business". All "taxpayers" are "aliens" engaged in a "trade or business". This is confirmed by 26 C.F.R. §1.1441-1(c)(3), 26 C.F.R. §1.1-1(a)(2)(ii), and 5 U.S.C. §552a(a)(2). Statutory "U.S. citizens" as defined in 8 U.S.C. §1401 are not "individuals" unless temporarily abroad pursuant to 26 U.S.C. §911 and subject to an income tax treaty with a foreign country. In that capacity, statutory "U.S. citizens" interface to the I.R.C. as "aliens" rather than "U.S. citizens" through the tax treaty.

In summary:

1. A "national" is defined in 8 U.S.C. §1101(a)(21) as a person who has allegiance to a "state". The existence of that allegiance provides legal evidence that a human being has exercised their First Amendment right to politically associate themselves with a "state" in order to procure its protection. In return for said allegiance, the "national" is entitled to the protection of the state. *Minor v. Happersett*, 88 U.S. 162 (1874) .
2. The only thing you need in order to obtain a USA passport is "allegiance". 22 U.S.C. §212. If the federal government is willing to issue you a passport, then they regard you as a "national", because the only type of citizenship that carries with it exclusively allegiance is that of a "national". 8 U.S.C. §1101(a)(21). See: http://famguardian.org/Subjects/Taxes/Citizenship/ApplyingForAPassport.htm
3. In the constitution, "nationals" are called "citizens".
4. A "citizen" in the Constitution does not imply a legal domicile on the territory of the "state" to whom we claim allegiance, but under federal statutory law, both "citizens" and "residents" are persons who have a legal domicile on the territory of the state to which he claims allegiance.
5. In federal statutory law, all "citizens" are also "nationals" but not all nationals are "citizens". For proof, see:
 5.1. 8 U.S.C. §1401 defines a "national and citizen of the United States".
 5.2. 8 U.S.C. §1452 defines a "non-citizen national".
6. Since being a "national" is a prerequisite to being a "citizen", then "citizens" within a country are a subset of those who are "nationals".
7. "subject to **the** jurisdiction" is found in Section 1 of the Fourteenth Amendment of the Constitution. The Constitution is a political document and the phrase "subject to **the** jurisdiction" means all of the following:
 7.1. Being a member of a political group. *Minor v. Happersett*, 88 U.S. 162 (1874)

> *"There cannot be a nation without a people. The very idea of a political community, such as a nation is, implies an [88 U.S. 162, 166] association of persons for the promotion of their general welfare. Each one of the persons associated becomes a member of the nation formed by the association.* ***He owes it allegiance and is entitled to its protection. Allegiance and protection are, in this connection, reciprocal obligations. The one is a compensation for the other; allegiance for protection and protection for allegiance.***
>
> *"For convenience it has been found necessary to give a name to this membership. The object is to designate by a title the person and the relation he bears to the nation. For this purpose the words 'subject,' 'inhabitant,' and 'citizen' have been used, and the choice between them is sometimes made to depend upon the form of the government.* ***Citizen is now more commonly employed, however, and as it has been considered better suited to the description of one living under a republican government, it was adopted by nearly all of the States upon their separation from Great Britain, and was afterwards adopted in the Articles of Confederation and in the Constitution of the United States. When used in this sense it is understood as conveying the idea of membership of a nation, and nothing more.****"*
>
> *"****To determine, then, who were citizens of the United States before the adoption of the amendment it is necessary to ascertain what persons originally associated themselves together to form the nation, and what were afterwards admitted to membership.***
>
> *[. . .]*
>
> *"****Whoever, then, was one of the people of either of these States when the Constitution of the United States was adopted, became ipso facto a citizen-a member of the nation created by its adoption. He was one of the persons associating together to form the nation, and was, consequently, one of its original citizens. As to this there has never been a doubt. Disputes have arisen as to whether or not certain persons or certain classes of persons were part of the people at the time, but never as to their citizenship if they were.*** *"*
> *[Minor v. Happersett, 88 U.S. 162 (1874)]*

 7.2. Being subject to the **political jurisdiction** but NOT **legislative jurisdiction** of the state which we are a member of. *U.S. v. Wong Kim Ark*, 169 U.S. 649 (1898)

> *"This section contemplates two sources of citizenship, and two sources only,-birth and naturalization. The persons declared to be citizens are 'all persons born or naturalized in the United States, and* ***subject to the jurisdiction thereof.****' The evident meaning of these last words is, not merely subject in some respect or degree to the jurisdiction of the United States, but completely subject to their [plural, not singular, meaning states of the Union]* ***political jurisdiction****, and owing them [the state of the Union] direct and immediate allegiance. And the words relate to the time of birth in the one case, as they do [169 U.S. 649, 725] to the time of naturalization in the other. Persons not thus subject to the jurisdiction of the United States at the time of birth cannot become so afterwards, except by being naturalized, either individually, as by proceedings under the naturalization acts, or collectively, as by the force of a treaty by which foreign territory is acquired."*
> *[U.S. v. Wong Kim Ark, 169 U.S. 649, 18 S.Ct. 456; 42 L.Ed. 890 (1898)]*

7.3. Being able to participate in the political affairs of the state by being able to elect its members as a voter or direct its activities as a jurist.

8. "subject to **its** jurisdiction" is found in federal statutes and regulations and it means all of the following:
 8.1. Having a legal domicile within the exclusive jurisdiction of a "state". Within federal law, this "state" means the "United States" government and includes no part of any state of the Union.
 8.2. Being subject to the **legislative** but not **political jurisdiction** of a "state".
9. Political jurisdiction and political rights are the tools we use to directly run and influence the government as voters and jurists.
10. Legislative jurisdiction, on the other hand, is how the government controls us using the laws it passes.

Now that we understand the distinctions between "citizens" and "nationals" within federal law, we are ready to tackle the citizenship issue head on.

6. FOUR TYPES OF AMERICAN NATIONALS

There are four types of American nationals recognized under federal law:

1. Statutory "nationals and citizens of the United States" (statutory "U.S.** citizen")**
 1.1. A statutory privileged status defined and found in 8 U.S.C. §1401, in the implementing regulations of the Internal Revenue Code at 26 C.F.R. §1.1-1(c), and in most other federal statutes.
 1.2. Born anywhere in the United States* but domiciled in the federal zone *only*. Must inhabit the District of Columbia and the territories and possessions of the United States identified in Title 48 of the U.S. Code.
 1.3. Subject to the "police power" of the federal government and all "acts of Congress".
 1.4. Treated as a citizen of the municipal government of the District of Columbia (see 26 U.S.C. §7701(a)(39))
 1.5. Have no common law rights, because there is no federal common law. See *Jones v. Mayer*, 392 U.S. 409 (1798).
 1.6. Also called "federal U.S. citizens" throughout this document.
 1.7. Owe allegiance to the GOVERNMENT of the United States** and NOT the PEOPLE of the States of the Union, who are called United States***.

2. Statutory "nationals but not citizens of the United States at birth" (where "United States" or "U.S." means the *federal* United States)**
 2.1. Defined in 8 U.S.C. §1408, 8 U.S.C. §1101(a)(22)(B) , 8 U.S.C. §1452.
 2.2. Born anywhere American Samoa or Swains Island.
 2.3. May not participate politically in federal elections or as federal jurists.
 2.4. Owe allegiance to the GOVERNMENT of the United States** and NOT the PEOPLE of the States of the Union, who are called United States***.

3. "USA nationals" (but not "citizens of the United States")**
 3.1. Defined in 8 U.S.C. §1101(a)(21)
 3.2. Is *not* equivalent to a statutory "national but not citizen of the United States at birth" identified in 8 U.S.C. §1408.
 3.3. Called a "citizen of the United States" by the Supreme Court and in Section 1 of the Fourteenth Amendment.
 3.4. Born anywhere in any one of the several states of the Union but *not* in a federal territory, possession, or the District of Columbia.
 3.5. Not subject to the "police power" of the federal government or most "acts of Congress".
 3.6. Owes allegiance to the PEOPLE of the several constitutional states of the Union, who are the "United States***" or "United States of America".
 3.7. May serve as a federal jurist or grand jurist involving only parties with his same nationality and domicile status.
 3.8. May vote in federal elections.

4. "State nationals"
 4.1. Defined under federal law pursuant to 8 U.S.C. §1101(a)(21), under Law of Nations, under state laws, and under U.S.A. Constitution.
 4.2. Is equivalent to the term "state citizen".
 4.3. In general, born in any one of the several states of the Union but not in a federal territory, possession, or the District of Columbia. Not domiciled in the federal zone.
 4.4. Not subject to the "police power" of the federal government or most "acts of Congress".
 4.5. Owes Allegiance to the sovereign people, collectively and individually, within the body politic of the constitutional state residing in.
 4.6. May serve as a state jurist or grand jurist involving only parties with his same citizenship and domicile status.
 4.7. May vote in state elections.

4.8. At this time, all “state Nationals” are also a “USA National”. But not all “USA Nationals” are a “state National” (for example, a USA national not residing nor domiciled in a state of the Union).

4.9. Is a man or woman whose unalienable natural rights are recognized, secured, and protected by his state constitution against state actions and against federal intrusion by the Constitution for the United States of America.

Statutory “U.S.** citizens” under 8 U.S.C. §1401 have civil PRIVILEGES (not rights but privileges) under federal law that are similar but inferior to the natural rights that state Citizens have in state courts. I say almost because civil rights are created by Congress and can be taken away by Congress. “U.S. citizens” are privileged *subjects*/*servants* of Congress, under their protection as a "resident" and “ward” of a ***federal*** State, a person enfranchised to the federal government (the incorporated United States defined in Article I, Section 8, Clause 17 of the Constitution). The individual Union states may not deny to these persons any federal privileges or immunities that Congress has granted them within “acts of Congress” or federal statutes. Federal citizens come under admiralty law (International Law) when litigating in federal courts. As such they do not have inalienable common rights recognized, secured and protected in federal courts by the Constitutions of the States, or of the Constitution for the United States of America, such as "allodial" (absolute) rights to property, the rights to inheritance, the rights to work and contract, and the right to travel among others.

Another important element of citizenship is that artificial entities like corporations are citizens for the purposes of taxation but ***cannot*** be citizens for any other purpose.

> *"A corporation is a citizen, resident, or inhabitant of the state or country by or under the laws of which it was created, and of that state or country only."*
> *[19 Corpus Juris Secundum, Corporations, §886]*

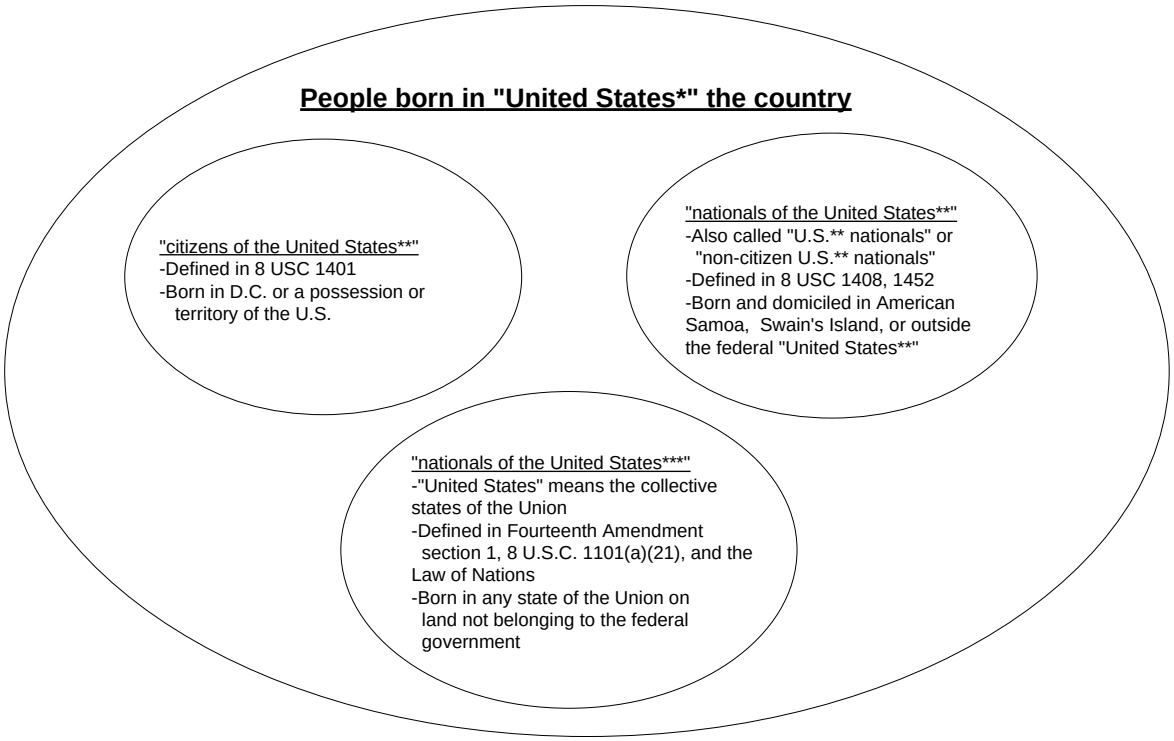
> *“A corporation is not a citizen within the meaning of that provision of the Constitution, which declares that the citizens of each State shall be entitled to all the privileges and immunities of citizens of the several States.”*
> *[Paul v. Virginia, 8 Wall (U.S.) 168, 19 L.Ed. 357 (1868)]*

We have prepared a Venn diagram showing all of the various types of citizens so that you can properly distinguish them. The important thing to notice about this diagram is that there are multiple types of “citizens of the United States” and “nationals of the United States” because there are multiple definitions of “United States” according to the Supreme Court, as we showed earlier in section 1. Above the diagram is a table showing the three definitions of “United States” appearing in the diagram from section 1 of the ***Great IRS Hoax***, Form #11.302:

Table 6: Terms used in the citizenship diagram

Term	*Meaning*
United States*	The country "United States" in the family of nations throughout the world.
United States**	The "federal zone".
United States***	Collective states of the Union mentioned throughout the Constitution.

Figure 1: Citizenship diagram



7. WHAT IS A "NON-CITIZEN NATIONAL" OR "STATE NATIONAL"?

An important and often overlooked condition of citizenship is one where the human being is an American national by virtue of being born anywhere in the union and who is also domiciled in a Constitutional but not Statutory State of the Union. These types of people are referred to with *any* of the following synonymous names:

1. Nonresident Aliens (under the Internal Revenue Code, as defined in 26 U.S.C. §7701(b)(1)(B)).
2. American Citizens.
3. American Nationals.
4. Naturalized or born in a Constitutional State of the Union AND domiciled in a Constitutional state of the Union:
 4.1. "nationals" under 8 U.S.C. §1101(a)(21).
5. Born in a possession such as American Samoa AND domiciled in a Constitutional State of the Union:
 5.1. "nationals, but not citizens, of the United States[**]" under 8 U.S.C. §1452(b) and 8 U.S.C. §1101(a)(22)(B).
 5.2. "nationals but not citizens of the United States** at birth" under 8 U.S.C. §1408.
 5.3. "U.S. nationals" in the Department of State Foreign Affairs Manual (FAM) and the federal courts.

"Nationals" existed under *The Law of Nations* and international law since long before the passage of the 14th Amendment to the U.S. Constitution in 1868. There are two main types of "nationals" under federal law, as we revealed earlier in section 4.11.3.1 of our *Great IRS Hoax*, *Form #11.302* book:

Table 7: Types of "nationals" under federal law

#	Legal name	Where born	Defined in	Common name	Description
1	"nationals but not citizens of the United States[**] ***at birth***"	1. American Samoa 2. Swains Island	8 U.S.C. §1408 8 U.S.C. §1101(a)(22); 8 U.S.C. §1452(b)	"U.S. national"	The U.S. Supreme Court and the Constitution call these people "citizens of the United States[***]". See section 4.11.3.8 of the *Great IRS Hoax*, Form #11.302 later for details. Used on the 1040NR form to describe people who file that form. Does not describe people who are not born in the federal United States[**].
2	"national, but not a citizen" OR "non-citizen national" with NO "United States" after the name	1. states of the Union 2. Foreign country to parents who were born in a state of the Union.	8 U.S.C. §1101(a)(21); Fourteenth Amendment, Section 1	"non-citizen national" or "state national" or "USA national" or "national of the United States OF AMERICA"	The "national" or "state national" is not necessarily the same as the "U.S. national" above, because it includes people who born in states of the Union. It used to be called a "non-citizen national" in 8 U.S.C. §1452 but the Law Revision Counsel of the House of Representatives in 2003 renamed it so that it is improperly "assumed" to be equivalent to an 8 U.S.C. §1408 "U.S. national". Notice that this term does not mention 8 U.S.C. §1408 citizenship nor confine itself only to citizenship by birth in the federal zone. Therefore, it also includes people born in states of the Union.

A "state national", "national of the United States*** OF AMERICA", "USA national", or "non-citizen national" (WITHOUT the term "United States" after the name) is one who derives his nationality and allegiance to the confederation of states of the Union called the "United States[***] of America" by virtue of being born in a state of the Union. To avoid false presumption, these people should carefully avoid associating their citizenship status with the term "United States**" or "U.S.**", which means the "federal zone" within Acts of Congress.

> *"**Federal zone**. The area of land over which the United States** government exercises exclusive or general jurisdiction under Article 1, Section 8, Clause 17 of the Constitution. This area includes the District of Columbia and the territories and possessions of the United States**. For the purposes of this discussion, we do not treat the territorial waters of the United States** as "federal land", but they too are under the exclusive jurisdiction of the U.S. government as well."*

Therefore, instead of calling themselves "U.S. nationals", they call themselves either "non-citizen nationals" or "state nationals" or "USA nationals". By "USA" instead of "U.S.", we mean the states of the Union who are party to the Constitution and exclude any part of the federal zone. In terms of protection of our rights, being a "state national" or a "U.S.** national" are roughly equivalent. The "non-citizen national of the U.S.**" status, however, has several advantages that the "state national" status does *not* enjoy, as we explained earlier in section 4.11.4 of the *Great IRS Hoax*, Form #11.302 book:

1. May collect any Social Security benefits, because the Social Security Program Operations Manual System (POMS), Section GN 00303.001 states that only "U.S. citizens" and "U.S. nationals" can collect benefits.
2. May hold a U.S. security clearance, unlike "state nationals". See SECNAVINST 5510.30A, Appendix I, Department of the Navy.
3. May work for the federal government as a civil servant. See 5 C.F.R. §338.101.

8. LEGAL BASIS FOR "NON-CITIZEN NATIONAL" AND "STATE NATIONAL" STATUS

8.1 8 U.S.C. §1408: Nationals but not citizens of the United States** at birth

The key difference between a "state national" and a "non-citizen national of the United States** at birth " is the citizenship status of your parents. Below is a table that summarizes the distinctions using all possible permutations of "state national" and "U.S. national" status for both you and your parents:

Table 8: Becoming a "national" by birth

#	Reference	Parent's citizenship status	Your birthplace	Your status
1	8 U.S.C. §1101(a)(21)	Either parent born in a state of the Union and neither ever resided in the federal United States**.	In a state of the Union.	"national" or "state national"
2	8 U.S.C. §1408(1)	Irrelevant	In an outlying possession on or after the date of formal acquisition of such possession	"U.S. national"
3	8 U.S.C. §1408(2)	"U.S. nationals" but not "U.S. citizens" who have resided anywhere in the federal United States** prior to your birth	Outside the federal "United States**"	"U.S. national"
4	8 U.S.C. §1408(3)	A person of unknown parentage found in an outlying possession of the United States** while under the age of five years, until shown, prior to his attaining the age of twenty-one years, not to have been born in such outlying possession	NA	"U.S. national"
5	8 U.S.C. §1408(4)	One parent is a "U.S. national" but not "U.S. citizen" and the other is an "alien". The "U.S. national" parent has resided somewhere in the federal United States** prior to your birth	Outside the federal "United States**"	"U.S. national"
6	*Law of Nations*, Book I, §212	Both parents are "state nationals" and not "U.S. citizens" or "U.S. nationals". Neither were either born in the federal zone nor did they reside there during their lifetime.	Inside a state of the union and not on federal property	"state national"
7	*Law of Nations*, Book I, §215	Both parents are "U.S. nationals"". Neither were either born in the federal zone nor did they reside there during their lifetimes.	Outside the "United States**" the country	"U.S. national"
8	*Law of Nations*, Book I, §215	Both parents are "state nationals". Neither were either born in the federal zone nor did they reside there during their lifetimes.	Outside the "United States*" the country	"state national"
9	*Law of Nations*, Book I, §62 8 U.S.C. §1481	You started out as a "U.S. citizen" under 8 U.S.C. §1401 and decided to abandon the "citizen" part and retain the "national part", properly noticed the Secretary of State of your intentions, and obtained a revised passport reflecting your new status.	NA	"U.S. national"

Very significant is the fact that 8 U.S.C. §1408, confines itself exclusively to citizenship *by birth* inside the federal zone and does *not* define *all* possible scenarios whereby a human being may be a "U.S. national". For instance, it does *not* define the condition where both parents are "U.S. nationals", the birth occurred *outside* of the *federal* United States**, and neither parent ever physically maintained a domicile inside the *federal* United States**. Under item 7 above, *The Law of Nations*, Book I, Section 215, says this condition always results in the child having the same citizenship as his/her father. The *Law of Nations* was one of the organic documents that the founding fathers used to write our original Constitution and Article 1, Section 8, Clause 10 of that Constitution MANDATES that it be obeyed.

> *Constitution of the United States*
> *Article 1, Section 8, Clause 10*
>
> *"The Congress shall have Power…*
>
> *"To define and punish Piracies and Felonies committed on the high Seas, and Offences against the Law of Nations;"*

As you read this section below from *The Law of Nations, Vattel* that proves item 7 in the above table, keep in mind that states of the Union are considered "foreign countries" with respect to the federal government legislative jurisdiction and police powers (see http://famguardian.org/Publications/LawOfNations/vattel.htm).

> ***§ 215. Children of citizens born in a foreign country.***
>
> *It is asked whether the children born of citizens in a foreign country are citizens? The laws have decided this question in several countries, and their regulations must be followed.(59)* ***By the law of nature alone, children follow the condition of their fathers, and enter into all their rights (§ 212); the place of birth produces no change in this particular, and cannot, of itself, furnish any reason for taking from a child what nature has given him;*** *I say "of itself," for, civil or political laws may, for particular reasons, ordain otherwise. But I suppose that the father has not entirely quitted his country in order to settle elsewhere. If he has fixed his abode*

in a foreign country, he is become a member of another society, at least as a perpetual inhabitant; and his children will be members of it also.
[The Law of Nations, Vattel]

Here's a U.S. Supreme Court ruling confirming these conclusions:

*"Under statute, child born outside United States[**] is not entitled to citizenship unless father has resided in United States[**] before its birth."*
[Weedin v. Chin Bow, 274 U.S. 657, 47 S.Ct. 772 (1927)]

8.2 Why Congress can't define the CIVIL STATUTORY status of those born within constitutional states of the Union

There are very good legal reasons why 8 U.S.C. §1408 doesn't mention this case or condition. There is also a reason why there is no federal statute anywhere that directly prescribes the citizenship status of persons based on birth within states of the Union. The reasons are because lawyers in Congress:

1. Know that this is the criteria that most Americans born inside states of the Union will meet.
2. Know that one's CIVIL status, STATUTORY status derives from their DOMICILE and not their NATIONALITY. NATIONALITY is a POLITICAL status. CIVIL OR STATUTORY status is a LEGAL status and NOT a political status. Hence, those not domiciled on federal territory cannot have a CIVIL or STATUTORY status under federal law.

*In Udny v. Udny (1869) L. R. 1 H. L. Sc. 441, the point decided was one of inheritance, depending upon the question whether the domicile of the father was in England or in Scotland, he being in either alternative a British subject. Lord Chancellor Hatherley said: '**The question of naturalization and of allegiance is distinct from that of domicile.**' Page 452. Lord Westbury, in the passage relied on by the counsel for the United States, began by saying: '**The law of England, and of almost all civilized countries, ascribes to each individual at his birth two distinct legal states or conditions,—one by virtue of which he becomes the subject [NATIONAL] of some particular country, binding him by the tie of natural allegiance, and which may be called his political status; another by virtue of which he has ascribed to him the character of a citizen of some particular country, and as such is possessed of certain municipal rights, and subject to certain obligations, which latter character is the civil status or condition of the individual, and may be quite different from his political status.**' And then, **while maintaining that the civil status is universally governed by the single principle of domicile (domicilium), the criterion established by international law for the purpose of determining civil status, and the basis on which 'the personal rights of the party—that is to say, the law which determines his majority or minority, his marriage, succession, testacy, or intestacy— must depend,' he yet distinctly recognized that a man's political status, his country (patria), and his 'nationality,**—that is, natural allegiance,'—'may depend on different laws in different countries.' Pages 457, 460. He evidently used the word 'citizen,' not as equivalent to 'subject,' but rather to 'inhabitant'; and had no thought of impeaching the established rule that all persons born under British dominion are natural-born subjects.*
[United States v. Wong Kim Ark, 169 U.S. 649, 18 S.Ct. 456, 42 L.Ed. 890 (1898) ;
SOURCE: http://scholar.google.com/scholar_case?case=3381955771263111765]

3. Know that these people are "sovereign". Even the U.S. Supreme Court said so:

*"'The words 'people of the United States[***]' and 'citizens,' are synonymous terms, and mean the same thing. They **both describe the political body who, according to our republican institutions, form the sovereignty, and who hold the power** and conduct [run] the government through their representatives [servants]. They are what we familiarly call the **'sovereign people,'** and every citizen is one of this people, and a constituent member of this sovereignty. ..."*
[Boyd v. State of Nebraska, 143 U.S. 135 (1892)]

4. Know that a "sovereign" is not and cannot be the subject of any law, and therefore cannot be mentioned in the law.

"...at the Revolution, the sovereignty devolved on the people; and they are truly the sovereigns of the country, but they are sovereigns without subjects...with none to govern but themselves; the citizens of America are equal as fellow citizens, and as joint tenants in the sovereignty."
[Chisholm v. Georgia, 2 Dall. (U.S.) 419, 454, 1 L.Ed. 440, 455 (1793), pp. 471-472]

"Sovereignty itself is, of course, not subject to law, for it is the author and source of law; but in our system, while sovereign powers are delegated to the agencies of government, sovereignty itself remains with the people, by whom and for whom all government exists and acts."
[Yick Wo v. Hopkins, 118 U.S. 356, 6 S.Ct. 1064 (1886)]

"In common usage, the term 'person' does not include the sovereign, and statutes employing the word are ordinarily construed to exclude it."
[Wilson v. Omaha Indian Tribe, 442 U.S. 653, 667 (1979)]

"Since in common usage the term `person' does not include the sovereign, statutes employing that term are ordinarily construed to exclude it."
[U.S. v. Cooper, 312 U.S. 600, 604, 61 S.Ct. 742 (1941)]

"In common usage, the term `person' does not include the sovereign and statutes employing it will ordinarily not be construed to do so."
[U.S. v. United Mine Workers of America, 330 U.S. 258, 67 S.Ct. 677 (1947)]

5. Know that they cannot write a federal statute or act of Congress that prescribes any criteria for becoming a "national" based on birth and perpetual residence outside of federal legislative jurisdiction and within a state of the Union. That is why the circuit court held the following with respect to "U.S. nationals":

*"Marquez-Almanzar seeks to avoid removal by arguing that he 3 can demonstrate that he owes "permanent allegiance" to the United States and thus qualify as a U.S. national under section 101(a)(22)(B) of the Immigration and Nationality Act ("INA"), 8 U.S.C. §1101(a)(22)(B). That provision defines "national of the United States" as "a person who, though not a citizen of the United States, owes permanent allegiance to the United States." **We hold that § 1101(a)(22)(B) itself does not provide a means by which an individual can become a U.S. national, and deny Marquez-Almanzar's petition accordingly.**"*
[Jose Napoleon Marquez-Almanzar v. Immigration and Naturalization Service, Docket # 03-4395, 03-40027, 03-40497, August 8, 2005, http://famguardian.org/TaxFreedom/CitesByTopic/USNational-034395p.pdf]

6. Want to deceive most Americans to falsely believe or presume that they are "U.S. citizens" who are "subject to" federal statutes and jurisdiction, so they interfere in the determination of their true status as "nationals" and "state nationals".

8 U.S.C. §1452 is the authority for getting your status of being a "non-citizen national of the United States**" formally recognized by the federal government, but it applies only to people born in federal possessions such as American Samoa and Swain's Island. In practice, those who administer it in the Department of State, in our experience, refuse to recognize people born in states of the Union under this statute because they don't want to give the slaves the keys to their chains so they can leave the federal plantation.

8.3 Expatriation: 8 U.S.C. §1481

How can you be sure you are a "national" or "state national" if the authority for being so can't lawfully be put in any federal statute? There are lots of ways, but the easiest way is to consider that you as a human being who was born in a state of the Union and outside the federal "United States**" can legally "expatriate" your nationality. All you need in order to do so is your original birth certificate and to follow the procedures prescribed in federal law which we explain in section 4.11.10 of our *Great IRS Hoax*, Form #11.302 book and 2.5.3.13 of our *Sovereignty Forms and Instructions Manual*, Form #10.005. What exactly are you "expatriating"? The definition of expatriation clarifies this:

*"Expatriation is the voluntary renunciation or abandonment of **nationality** and allegiance."*
[Perkins v. Elg, 307 U.S. 325, 59 S.Ct. 884, 83 L.Ed. 1320 (1939)]

***"expatriation**. The voluntary act of abandoning or renouncing one's country, [nation] and becoming the citizen or subject of another.*
[Black's Law Dictionary, Sixth Edition, p. 576]

Here is the statutory explanation of "expatriation":

TITLE 8 > CHAPTER 12 > SUBCHAPTER III > Part III > § 1481
§ 1481. Loss of nationality by native-born or naturalized citizen; voluntary action; burden of proof; presumptions

(a) A person who is a national of the United States[] whether by birth or naturalization, shall lose his nationality by voluntarily performing any of the following acts with the intention of relinquishing United States nationality—*

You can't abandon your "nationality" unless you had it in the first place, so you ***must*** be a "national" or a "state national"! Here is the clincher:

> *8 U.S.C. §1101: Definitions*
>
> *(a)(21) The term "national" means a person owing permanent allegiance to a state.*

The term "state" above can mean a state of the Union or it can mean a confederation of states called the "United States***". The reason "state" is in lower case is because it refers in most cases to a legislatively foreign state, and all states of the Union are foreign with respect to the federal government for the purposes of legislative (but not CONSTITUTIONAL) jurisdiction for nearly all subject matters. All upper case "States" in federal law refer to territories or possessions owned by the federal government under 4 U.S.C. §110(d):

> *"Foreign States: Nations outside of the United States**…Term may also refer to another state; i.e. a sister state. The term 'foreign nations', …should be construed to mean all nations and states other than that in which the action is brought; and hence, one state of the Union is foreign to another, in that sense."*
> *[Black's Law Dictionary, Sixth Edition, p. 648]*

Sneaky, huh? You'll ***never*** hear especially a federal lawyer agree with you on this because it destroys their jurisdiction to impose an income tax on you, but it's true!

NOTE: We are NOT suggesting that you SHOULD expatriate, but using the process to illustrate that it is completely consistent with our research. In order to move oneself outside of federal legislative jurisdiction, a human being born in a state of the Union and outside the federal United States** (a "national" of the USA) would want to ONLY move his domicile outside of the federal zone (assuming that they were domiciled in the federal zone to begin with) AND NOT expatriate his nationality. Likewise, a "National and citizen of the United states** at birth" pursuant to 8 U.S.C. §1401 would also want to move their domicile outside of the federal zone.

The rulings of the U.S. Supreme Court also reveal that "citizen of the United States***" and "nationality" are equivalent, but only in the context of the Constitution and not any act of Congress. Look at the ruling below and notice how they use "nationality" and "citizen of the United States***" interchangeably:

> *"Whether it was also the rule at common law that the children of British subjects born abroad were themselves British subjects-**nationality being attributed to parentage instead of locality**-has been variously determined. If this were so, of course the statute of Edw. III. was declaratory, as was the subsequent legislation. But if not, then such children were aliens, and the statute of 7 Anne and subsequent statutes must be regarded as in some sort acts of naturalization. On the other hand, it seems to me that the rule, 'Partus sequitur patrem,' has always applied to children of our citizens born abroad, and that the acts of congress on this subject are clearly declaratory, passed out of abundant caution, to obviate misunderstandings which might arise from the prevalence of the contrary rule elsewhere.*
>
> *"**Section 1993 of the Revised Statutes provides that children so born 'are declared to be citizens of the United States***; but the rights of citizenship shall not descend to children whose fathers never resided in the United States***.' Thus a limitation is prescribed on the passage of citizenship by descent beyond the second generation if then surrendered by permanent nonresidence, and this limitation was contained in all the acts from 1790 down. Section 2172 provides that such children shall 'be considered as citizens thereof.' "*
> *[U.S. v. Wong Kim Ark, 169 U.S. 649 (1898)]*

If after examining the charts above, you find that your present citizenship status does not meet your needs, you are perfectly entitled to change it and the government can't stop you. We explain later in section 4.11.10 of our *Great IRS Hoax*, Form #11.302 how to abandon any type of citizenship you may find undesirable in order to have the combination of rights and "privileges" that suit your fancy. If a "national" of the USA*** wanted to qualify for Social Security Benefits, they would have to naturalize to the "United States**" to become a statutory "U.S.** national" or move their domicile to the federal zone (BAD IDEA).

8.4 Statutory geographical definitions

In the following subsections we have an outline of the legal constraints applying to persons who are "non-citizen nationals" or "state nationals" and who do not claim the status of "U.S. citizens" under federal statutes. The analysis that follows establishes that for "state nationals" , such persons may in some cases not be allowed to vote in elections without special efforts on their part to maintain their status. They are also not allowed to serve on jury duty without special efforts on their

part to maintain their status. These special efforts involve clarifying our citizenship on any government forms we sign to describe ourselves as ONE of the following:

1. "nationals" or "state nationals" but not statutory "citizens of the United States**" as defined in and 8 U.S.C. §1101(a)(21) and 8 U.S.C. §1101(a)(22)(B) if were were born within and domiciled within a U.S. possession.
2. **Nationals** of the "United States *of America*" (just like our passport says) but not *statutory* **c**itizens of the *federal* "United States**" pursuant to 8 U.S.C. §1101(a)(21) if we were born within and domiciled within a constitutional state of the Union.

We said in section 4.12.3 of the *Great IRS Hoax*, Form #11.302 that all people born in states of the Union are technically "non-citizen nationals", or "state nationals" or "U.S.*** nationals", that is: "nationals of the United States*** *of America*". One of the three types of "nationals" under federal law is the "U.S. national", which is defined in 8 U.S.C. §1408 and depends a different definition of "U.S." that means the federal zone instead of the "United States of America". We don't cite all of the components of the definition for this type of "U.S. national" below, but only that part that describes Americans born inside the 50 Union states on nonfederal land to parents who resided inside the federal zone *prior* to the birth of the child:

> *8 U.S.C. Sec. 1408. - **Nationals but not citizens of the United States[**] at birth***
>
> *Unless otherwise provided in section 1401 of this title, the following shall be nationals, but not citizens, of the United States[**] at birth:*
>
> ...
>
> (2) *A person born outside the United States[**] and its outlying possessions of parents both of whom are nationals, but not citizens, of the United States[**], and have had a residence in the United States[**], or one of its outlying possessions prior to the birth of such person;*

The key word above is the term "United States**". This term is defined in 8 U.S.C. §1101(a)(38) as follows:

> *TITLE 8 > CHAPTER 12 > SUBCHAPTER I > Sec. 1101.*
> *Sec. 1101. - Definitions*
>
> *(a)(38) The term "United States[**]", except as otherwise specifically herein provided, when used in a geographical sense, means the **continental United States[**]**, Alaska, Hawaii, Puerto Rico, Guam, and the Virgin Islands of the United States[**].*

First of all, this definition leaves much to be desired, because it:

1. Doesn't tell us whether this is the only definition of "United States" that is applicable.
2. Gives us no clue as to how to determine whether the term "United States" is being used in a "geographical sense" as described above or in some other undefined sense.

The definition also doesn't tell us which of the three definitions of "United States" is being referred to as defined by the Supreme Court in *Hooven and Allison v. Evatt*, 324 U.S. 652 (1945) and as explained in section 4.8 of the *Great IRS Hoax*, Form #11.302. Since we have to guess which one they mean, then the law is already vague and confusing, and possibly even "void for vagueness" as we explain in section 5.11 of the *Great IRS Hoax*, Form #11.302. However, in the absence of a clear and unambiguous definition, we must assume that the definition used implies *only* the territory of the federal government situated within the federal zone as we explain in section 5.2.1 of the *Great IRS Hoax*, Form #11.302 and as the Supreme Court revealed in *U.S. v. Spelar*, 338 U.S. 217 at 222 (1949).

The legal encyclopedia American Jurisprudence helps us define what is meant by "United States" in the context of citizenship under *federal* (not state) law:

> *3C American Jurisprudence 2d, Aliens and Citizens, §2689 (1999), Who is born in United States[**] and subject to United States[**] jurisdiction*
>
> "A person is born *subject to the jurisdiction of the United States[**],* for purposes of acquiring citizenship at birth, if his or her birth occurs ***in territory over which the United States[**] is sovereign***, even though

another country provides all governmental services within the territory, and the territory is subsequently ceded to the other country."
[American Jurisprudence 2d, Aliens and Citizens, Section 2689 (1999)]

The key word in the above definition is "territory" in relationship to the sovereignty word. The only places which are "territories" of the United States[**] government are listed in Title 48 of the United States[**] Code. The states of the union are NOT territories!

"Territory: A part of a country separated from the rest, and subject to a particular jurisdiction. Geographical area under the jurisdiction of another country or sovereign power.

*A portion of the United States[**] not within the limits of any state, which has not yet been admitted as a state of the Union, but is organized with a separate legislature, and with executive and judicial powers appointed by the President."*
[Black's Law Dictionary, Sixth Edition, p. 1473]

And the rulings of the Supreme Court confirm this:

*"**A State does not owe its origin to the Government of the United States[**], in the highest or in any of its branches. It was in existence before it**. It derives its authority from the same pure and sacred source as itself: The voluntary and deliberate choice of the people…**A State is altogether exempt from the jurisdiction of the Courts of the United States[**], or from any other exterior authority, unless in the special instances when the general Government has power derived from the Constitution itself**."*
[Chisholm v. Georgia, 2 Dall. (U.S.) 419 (Dall.) (1794)]

*"**There is no such thing as a power of inherent sovereignty in the government of the United States[**]** In this country sovereignty resides in the people [living in the states of the Union, since the states created the United States[**] government and they came before it], and Congress can exercise no power which they have not, by their Constitution entrusted to it: All else is withheld."*
[Julliard v. Greenman: 110 U.S. 421 (1884)]

So what is really meant by "United States" for the three types of citizens found in federal statutes such as 8 U.S.C. §1401 and 8 U.S.C. §1408 and 8 U.S.C. §1452 is the "sovereignty of the United States**", which exists in its fullest, most exclusive, and most "general" form inside its "territories", and in federal enclaves within the states, or more generally in what we call the "federal zone" in this book. The ONLY place where the exclusive sovereignty of the United States** exists in the context of its "territories" is under Article 1, Section 8, Clause 17 of the Constitution on federal land. In the legal field, by the way, this type of exclusive jurisdiction is described as "plenary power". Very few of us are born on federal land under such circumstances, and therefore very few of us technically qualify as "citizens of the United States**". By the way, the federal government does have a very limited sovereignty or "authority" inside the states of the union, but it does not exceed that of the states, nor is it absolute or unrestrained or exclusive like it is inside the "territories" of the United States** listed in Title 48 of the United States** Code.

Let's now see if we can confirm the above conclusions with the weasel words that the lawyers in Congress wrote into the statutes with the willful intent to deceive common people like you. The key phrase in 8 U.S.C. §1101(a)(38) above is "*the continental United States***". The definition of this term is hidden in the regulations as follows:

[Code of Federal Regulations]
[Title 8, Volume 1]
[Revised as of January 1, 2002]
From the U.S. Government Printing Office via GPO Access
[CITE: 8CFR215]
TITLE 8--ALIENS AND NATIONALITY CHAPTER I--IMMIGRATION AND NATURALIZATION SERVICE, DEPARTMENT OF JUSTICE
*PART 215--CONTROLS OF ALIENS DEPARTING FROM THE UNITED STATES[**]*
Section 215.1: Definitions

*(f) The term continental United States[**] means the District of Columbia and the several **States**, except Alaska and Hawaii.*

The term "States", which is suspiciously capitalized and is then also defined elsewhere in Title 8 as follows:

8 U.S.C. §1101(a)(36): State [naturalization]

> *The term "State" **includes** the District of Columbia, Puerto Rico, Guam, and the Virgin Islands of the United States[**].*

Do you see the sovereign Union states in the above definition? They aren't there. Note that there are several entities listed in the above definition of "State", which collectively are called "several States". But when Congress really wants to clearly state the 50 Union states that are "foreign states" relative to them, they have no trouble at all, because here is another definition of "State" found under an older version of Title 40 of the U.S. Code prior to 2005 which refers to easements on Union state property by the federal government:

> *TITLE 40 > CHAPTER 4 > Sec. 319c*
> *Sec. 319c. - Definitions for easement provisions*
>
> *As used in sections 319 to 319c of this title -*
>
> *(a) The term "State" **means** the States of the Union, the District of Columbia, the Commonwealth of Puerto Rico, and the possessions of the United States[**].*

The above section, after we found it in 2002 and documented it here, was REWRITTEN in 2005 and REMOVED from Title 40 of the U.S. Code in order to cover up the distinctions we are trying to make here. Does that surprise you? In fact, this kind of "word smithing" by covetous lawyers is at the heart of how the separation of powers between the state and federal governments is being systematically destroyed, as documented below:

Government Conspiracy to Destroy the Separation of Powers, Form #05.023 http://sedm.org/Forms/FormIndex.htm

Did you notice in the now repealed 40 U.S.C. §319c that they used the term "means" instead of "includes" and that they said "States of the Union" instead of "several States"? You can tell they are playing word games and trying to hide their limited jurisdiction whenever they throw in the word "includes" and do not use the word "Union" in their definition of "State". As a matter of fact, section 5.6.15 of the *Great IRS Hoax*, Form #11.302 reveals that there is a big scandal surrounding the use of the word "includes". That word is abused as a way to illegally expand the jurisdiction of the federal government beyond its clear Constitutional limits. The memorandum of law below thoroughly rebuts any lies or deception the government is likely to throw at you regarding the word "includes" and you might want to read it:

Meaning of the Words "includes" and "including", Form #05.014 http://sedm.org/Forms/FormIndex.htm

Moving on, if we then substitute the definition of the term "State" from 8 U.S.C. §1101(a)(36) into the definition of "continental United States[**]" in 8 C.F.R. §215.1, we get:

> *8 C.F.R. §215.1*
>
> *The term continental United States[**] means the District of Columbia and the District of Columbia, Puerto Rico, Guam, and the Virgin Islands of the United States[**], except Alaska and Hawaii.*

We must then conclude that the "continental United States**" means essentially the federal areas within the real (not statutorily defined) continental United States**. We must also conclude based on the above analysis that:

1. The term "continental United States**" is redundant and unnecessary within the definition of "United States**" found in 8 U.S.C. §1101(a)(38).
2. The use of the term "continental United States**" is introduced mainly to deceive and confuse the average American about his true citizenship status as a "national" or a "state national" and not a "U.S. national".

The above analysis also leaves us with one last nagging question: why do Alaska and Hawaii appear in the definition of "United States**" in 8 U.S.C. §1101(a)(38), since we showed that the *other* "States" mentioned as part of this *statutory* "United States**" are federal "States"? If our hypothesis is correct that the "United States**" means "the federal zone" within federal statutes and regulations and "the states of the Union" collectively within the Constitution, then the definition from the regulation above can't include any part of a Union state that is not a federal enclave. In the case of Alaska and Hawaii, they were only recently admitted as Union states (1950's). The legislative notes for Title 8 of the U.S. Code (entitled "Aliens and Nationality") reveal that the title is primarily derived from the Immigration and Nationality Act of

1940, which was written and codified BEFORE Alaska and Hawaii joined the Union. Before that, they were referred to as the Territories of Alaska and Hawaii, which belonged to the "United States**" or simply "Alaska and Hawaii". Note that 8 U.S.C. §1101(a)(38) adds the phrase "***of*** the United States**" after the names of these two former territories and groups them *together* with other federal territories, which to us implies that they are referring to Alaska and Hawaii *when they were territories* rather than Union states. At the time they were federal territories, then they were federal "States". These conclusions are confirmed by a rule of statutory construction known as "ejusdem generis", which basically says that items of the same class or general type *must* be grouped together. The other items that Alaska and Hawaii are grouped with are federal territories in the list of enumerated items:

> *"**Ejusdem generis.** Of the same kind, class, or nature. In the construction of laws, wills, and other instruments, the "ejusdem generis rule" is, that where general words follow an enumeration of persons or things, by words of a particular and specific meaning, such general words are not to be construed in their widest extent, but are to be held as applying only to persons or things of the same general kind or class as those specifically mentioned. U.S. v. LaBrecque, D.C. N.J., 419 F.Supp. 430, 432. The rule, however, does not necessarily require that the general provision be limited in its scope to the identical things specifically named. Nor does it apply when the context manifests a contrary intention.*
>
> *Under "ejusdem generis" cannon of statutory construction, where general words follow the enumeration of particular classes of things, the general words will be construed as applying only to things of the same general class as those enumerated. Campbell v. Board of Dental Examiners, 53 Cal.App.3d. 283, 125 Cal.Rptr. 694, 696."*
> *[Black's Law Dictionary, Sixth Edition, p. 517]*

8.5 The Fourteenth Amendment

Many freedom lovers allow themselves to be confused by the content of the Fourteenth Amendment so that they do not believe the distinctions we are trying to make here about the differences in meaning of the term "United States" between the Constitution and federal statutes. Here is what section 1 of that Amendment says:

> *Fourteenth Amendment*
>
> *"Section 1. All persons born or naturalized in the United States[***] and subject to **the** jurisdiction thereof, are citizens of the United States[***] and of the State wherein they reside."*

The Supreme Court clarifies exactly what the phrase "subject to ***the*** jurisdiction" above means. It means the "political jurisdiction" of the United States** and NOT the "legislative jurisdiction"(!):

> *"This section contemplates two sources of citizenship, and two sources only,-birth and naturalization. The persons declared to be citizens are 'all persons born or naturalized in the United States[***], and **subject to the jurisdiction thereof.**' The evident meaning of these last words is, not merely subject in some respect or degree to the jurisdiction of the United States[***], but completely subject to their **political jurisdiction**, and owing them direct and immediate allegiance. And the words relate to the time of birth in the one case, as they do [169 U.S. 649, 725] to the time of naturalization in the other. Persons not thus subject to the jurisdiction of the United States[***] at the time of birth cannot become so afterwards, except by being naturalized, either individually, as by proceedings under the naturalization acts, or collectively, as by the force of a treaty by which foreign territory is acquired."*
> *[U.S. v. Wong Kim Ark, 169 U.S. 649, 18 S.Ct. 456; 42 L.Ed. 890 (1898)]*

"Political jurisdiction" is NOT the same as "legislative jurisdiction". "Political jurisdiction" was defined by the Supreme Court in Minor v. Happersett:

> *"There cannot be a nation without a people. The very idea of a political community, such as a nation is, implies an [88 U.S. 162, 166] association of persons for the promotion of their general welfare. Each one of the persons associated becomes a member of the nation formed by the association. **He owes it allegiance and is entitled to its protection. Allegiance and protection are, in this connection, reciprocal obligations. The one is a compensation for the other; allegiance for protection and protection for allegiance.***
>
> *"For convenience it has been found necessary to give a name to this membership. The object is to designate by a title the person and the relation he bears to the nation. For this purpose the words 'subject,' 'inhabitant,' and 'citizen' have been used, and the choice between them is sometimes made to depend upon the form of the government. **Citizen is now more commonly employed, however, and as it has been considered better suited to the description of one living under a republican government, it was adopted by nearly all of the States upon their separation from Great Britain, and was afterwards adopted in the Articles of Confederation and in the***

Constitution of the United States[]. When used in this sense it [the word "citizen"] is understood as conveying the idea of membership of a nation, and nothing more."***

> *"**To determine, then, who were citizens of the United States[***] before the adoption of the amendment it is necessary to ascertain what persons originally associated themselves together to form the nation, and what were afterwards admitted to membership.**"*
> *[Minor v. Happersett, 88 U.S. 162 (1874)]*

Notice how the Supreme court used the phrase "and nothing more", as if to emphasize that citizenship doesn't imply legislative jurisdiction, but simply political membership. We described in detail the two political jurisdictions within our country in section 4.7 of our *Great IRS Hoax*, Form #11.302 book. "Political jurisdiction" implies only the following:

1. Membership in a community (see *Minor v. Happersett*, 88 U.S. 162 (1874))
2. Right to vote.
3. Right to serve on jury duty.

"Legislative jurisdiction", on the other hand, implies being "completely subject" and subservient to federal laws and all "Acts of Congress", which only people in the District of Columbia and the territories and possessions of the United States[**] can be. You can be "completely subject to the political jurisdiction" of the United States*** without being subject in any degree to a specific "Act of Congress" or the Internal Revenue Code, for instance. The final nail is put in the coffin on the subject of what "subject to **the** jurisdiction" means in the Fourteenth Amendment, when the Supreme Court further said in the above case:

> *"**It is impossible** to construe the words 'subject to the jurisdiction thereof,' in the opening sentence, as less comprehensive than the words 'within its jurisdiction,' in the concluding sentence of the same section; or **to hold that persons 'within the jurisdiction' of one of the states of the Union are not 'subject to the jurisdiction of the United States[***]**.'"*
> *[U.S. v. Wong Kim Ark, 169 U.S. 649, 18 S.Ct. 456; 42 L.Ed. 890 (1898), emphasis added]*

So "subject to the jurisdiction" in the context of citizenship within the Fourteenth Amendment means "subject to the **[political]** jurisdiction" of the United States*** and not legislative jurisdiction, and the Fourteenth Amendment definitely describes only those people born in states of the Union. Another very interesting conclusion reveals itself from reading the following excerpt from the above case:

> *"And Mr. Justice Miller, delivering the opinion of the court [legislating from the bench, in this case], in analyzing the first clause, observed that "the phrase 'subject to the jurisdiction thereof' was intended to exclude from its operation children of ministers, consuls, and **citizens or subjects of foreign states**, born within the United States[***]."*
> *[U.S. v. Wong Kim Ark, 169 U.S. 649, 18 S.Ct. 456; 42 L.Ed. 890 (1898)]*

When we first read that, an intriguing question popped into our head:

> *Is "Heaven" or any religious group for that matter a "foreign state" with respect to the United States** government and are we God's "ambassadors" and "ministers" of the Sovereign ("God") in that "foreign state"?*

Based on the way our deceitful and wicked public servants have been acting lately, we think so and here are the scriptures to back it up!

> *"For our citizenship is in heaven, from which we also eagerly wait for the Savior, the Lord Jesus Christ"—*
> *[Philippians 3:20, Bible, NKJV]*

> *"Now, therefore, you are no longer strangers and foreigners, but **fellow citizens with the saints and members of the household of God**."*
> *[Ephesians 2:19, Bible, NKJV]*

> *"These all died in faith, not having received the promises, but having seen them afar off were assured of them, embraced them **and confessed that they were strangers and pilgrims on the earth**."*
> *[Hebrews 11:13, Bible, NKJV]*

*"Beloved, I beg you **as sojourners and pilgrims**, abstain from fleshly lusts which war against the soul..."*
[1 Peter 2:11, Bible, NKJV]

Furthermore, if you read section 5.2.11 of the *Great IRS Hoax*, Form #11.302, you will *also* find that the 50 Union states are considered "foreign states" and "foreign countries" with respect to the U.S. government as far as Subtitle A income taxes are concerned:

> *Foreign courts: "The courts of a foreign state or nation. In the United States[**], this term is frequently applied to the courts of one of the states when their judgments or records are introduced in the courts of another."*
> *[Black's Law Dictionary, Sixth Edition, p. 647]*

> *Foreign Laws: "The laws of a foreign country or sister state."*
> *[Black's Law Dictionary, Sixth Edition, p. 647]*

8.6 Department of State Foreign Affairs Manual (FAM)

Another place you can look to find confirmation of our conclusions is the Department of State Foreign Affairs Manual, section 7 Foreign Affairs Manual (F.A.M.), Section 1116.1-1, available on our website at:

Dept. of State Foreign Affairs Manual (FAM), Volume 7, Section 1116.1 http://famguardian.org/TaxFreedom/Evidence/Citizenship/7FAM1100,1110,1111-DeptOfState.pdf

and also available on the Dept. of State website at:

Department of State http://foia.state.gov/REGS/Search.asp

which says in pertinent part:

> *"d. **Prior to January 13, 1941, there was no statutory definition of "the United States" for citizenship purposes**. Thus there were varying interpretations. Guidance should be sought from the Department (CA/OCS) when such issues arise." [emphasis added]*

If our own government hadn't defined the meaning of the term "United States" up until 1941, then do you think there might have been some confusion over this and that this confusion was deliberate? Can you also see how the ruling in *Wong Kim Ark* might have been somewhat ambiguous to the average American without a statutory (legal) reference for the terms it was using? Once again, the government likes to confuse people about its jurisdiction in order to grab more of it. Here is how Thomas Jefferson explained it:

> *"Contrary to all correct example, [the Federal judiciary] are in the habit of going out of the question before them, to throw an anchor ahead and grapple further hold for future advances of power. **They are then in fact the corps of sappers and miners, steadily working to undermine the independent rights of the States and to consolidate all power in the hands of that government in which they have so important a freehold estate**."*
> *[Thomas Jefferson: Autobiography, 1821. ME 1:121]*

> *"We all know that permanent judges acquire an* esprit de corps; *that, being known, **they are liable to be tempted by bribery; that they are misled by favor, by relationship, by a spirit of party, by a devotion to the executive or legislative**; that it is better to leave a cause to the decision of cross and pile than to that of a judge biased to one side; and that the opinion of twelve honest jurymen gives still a better hope of right than cross and pile does."*
> *[Thomas Jefferson to Abbe Arnoux, 1789. ME 7:423, Papers 15:283]*

> *"**It is not enough that honest men are appointed judges. All know the influence of interest on the mind of man, and how unconsciously his judgment is warped by that influence. To this bias add that of the esprit de corps, of their peculiar maxim and creed that 'it is the office of a good judge to enlarge his jurisdiction,' and the absence of responsibility, and how can we expect impartial decision between the General government, of which they are themselves so eminent a part, and an individual state from which they have nothing to hope or fear**?"*
> *[Thomas Jefferson: Autobiography, 1821. ME 1:121]*

> *"At the establishment of our Constitutions, the judiciary bodies were supposed to be the most helpless and harmless members of the government. **Experience, however, soon showed in what way they were to become the most dangerous; that the insufficiency of the means provided for their removal gave them a freehold and***

> ***irresponsibility in office****; that their decisions, seeming to concern individual suitors only, pass silent and unheeded by the public at large; that these decisions nevertheless become law by precedent, sapping by little and little the foundations of the Constitution and working its change by construction before any one has perceived that that invisible and helpless worm has been busily employed in consuming its substance. In truth, man is not made to be trusted for life if secured against all liability to account."*
> *[Thomas Jefferson to A. Coray, 1823. ME 15:486]*

> *"I do not charge the judges with wilful and ill-intentioned error; but honest error must be arrested where its toleration leads to public ruin.* ***As for the safety of society, we commit honest maniacs to Bedlam; so judges should be withdrawn from their bench whose erroneous biases are leading us to dissolution. It may, indeed, injure them in fame or in fortune; but it saves the republic, which is the first and supreme law.****"*
> *[Thomas Jefferson: Autobiography, 1821. ME 1:122]*

> *"****The original error [was in] establishing a judiciary independent of the nation, and which, from the citadel of the law, can turn its guns on those they were meant to defend, and control and fashion their proceedings to its own will.****"*
> *[Thomas Jefferson to John Wayles Eppes, 1807. FE 9:68]*

> *"****It is a misnomer to call a government republican in which a branch of the supreme power [the Federal Judiciary] is independent of the nation****."*
> *[Thomas Jefferson to James Pleasants, 1821. FE 10:198]*

> *"****It is left... to the juries, if they think the permanent judges are under any bias whatever in any cause, to take on themselves to judge the law as well as the fact. They never exercise this power but when they suspect partiality in the judges; and by the exercise of this power they have been the firmest bulwarks of English liberty.****"*
> *[Thomas Jefferson to Abbe Arnoux, 1789. ME 7:423, Papers 15:283]*

With respect to that last remark, keep in mind that NONE of the rulings of Supreme Court cases like *Wong Kim Ark* have juries, so what do you think the judges are going to try to do?.. expand their power and enhance their retirement benefits, duhhhh! Another portion of that same document found in 7 Foreign Affairs Manual (F.A.M.), Section 1116.2-1 says:

> *"a. Simply stated, "subject to* ***the*** *jurisdiction" [within the context of federal statutes but not within the Fourteenth Amendment] of the United States[**] means subject to the laws of the United States[**]." [emphasis added]*

So what does "subject to the laws of the United States**" mean? It means subject to the *exclusive/general/plenary legislative jurisdiction* of the national (not federal) government under Article 1, Section 8, Clause 17 of the Constitution, which only occurs within the federal zone. We covered this earlier in section 4.10 of the *Great IRS Hoax*, Form #11.302 and again later throughout chapter 5 of that book. Here is how we explain the confusion created by 7 Foreign Affairs Manual (F.A.M.), Section 1116.2-1 above in the note we attached to it inside the Acrobat file of it on our website:

> *This is a distortion. Wong Kim Ark also says: "To be 'completely subject' to the political jurisdiction of the United States*** is to be in no respect or degree subject to the* ***political*** *jurisdiction of any other government."*

> *If you are subject to a Union state government, then you CANNOT meet the criteria above. That is why a "national" is defined in 8 U.S.C. §1101(a)(21) as "a person owing permanent allegiance to a [Union] state" and why most natural persons are "nationals" rather than "U.S. citizens"*

8.7 Federal court jurisdiction

Let's now further explore what 7 Foreign Affairs Manual (F.A.M.), Section 1116.2-1 means when it says "subject to the laws of the United States**". In doing so, we will draw on a very interesting article on our website entitled *Authorities on Jurisdiction of Federal Courts* found on our website at:

Authorities on Jurisdiction of Federal Courts, Family Guardian Fellowship
http://famguardian.org/Subjects/LegalGovRef/ChallJurisdiction/AuthoritiesArticle/AuthOnJurisdiction.htm

We start with a cite from Title 18 that helps explain the jurisdiction of "the laws of the United States**":

> *TITLE 18 > PART III > CHAPTER 301 > Sec. 4001.*
> *Sec. 4001. - Limitation on detention; control of prisons*

*(a) No citizen shall be imprisoned or otherwise detained by the United States** except pursuant to an Act of Congress.*

Building on this theme, we now add a corroborating citation from the Federal Rules of Criminal Procedure, Rule 26, Notes of Advisory Committee on Rules, paragraph 2, in the middle,

> *"On the other hand since all Federal crimes are statutory [see United States v. Hudson, 11 U.S. 32, 3 L.Ed. 259 (1812)] and **all criminal prosecutions in the Federal courts are based on acts of Congress**, . . ." [emphasis added]*

We emphasize the phrase "**Acts of Congress**" above. In order to define the jurisdiction of the Federal courts to conduct criminal prosecutions and how they might apply "the laws of the United States**" in any given situation, one would have to find out what the specific definition of "Act of Congress," is. We find such a definition in Federal Rule of Criminal Procedure 54(c) prior to Dec. 2002, wherein "Act of Congress" was defined. Rule 54(c) stated:

> *"Act of Congress" includes any act of Congress locally applicable to and in force in the District of Columbia, in Puerto Rico, in a territory or in an insular possession."*

If you want to examine this rule for yourself, here is the link:

http://www2.law.cornell.edu/cgi-bin/foliocgi.exe/frcrm/query=[jump!3A!27district+court!27]/doc/{@772}?

The $64,000 question is:

> *"ON WHICH OF THE FOUR LOCATIONS NAMED IN [former] RULE 54(c) OF the FEDERAL RULES OF CRIMINAL PROCEDURE IS THE UNITED STATES** DISTRICT COURT ASSERTING JURISDICTION WHEN THE U.S. ATTORNEY HAULS YOUR ASS IN COURT ON AN INCOME TAX CRIME?"*

Hint: everyone knows what and where the District of Columbia is, and everyone knows where Puerto Rico is, and territories and insular possessions are defined in Title 48 United States Code, happy hunting!

The Supreme Court says the same thing about this situation as well:

> *"**It is no longer open to question that the general government, unlike the states, Hammer v. Dagenhart, 247 U.S. 251, 275 , 38 S.Ct. 529, 3 A.L.R. 649, Ann.Cas.1918E 724, possesses no inherent power in respect of the internal affairs of the states; and emphatically not with regard to legislation.**"*
> *[Carter v. Carter Coal Co., 298 U.S. 238, 56 S.Ct. 855 (1936)]*

Keep in mind that Title 8 of the U.S. Code, which establishes citizenship under federal law is federal "legislation". I guess that means there is *nothing* in that title that can define or circumscribe our rights as people born within and domiciled within a state of the Union, which is foreign to the federal government for the purposes of legislative jurisdiction. In fact, that is exactly our status as a "national" defined in 8 U.S.C. §1101(a)(21). The term "national" is defined in Title 8, Section 1101 but the rights of such a human being are not limited or circumscribed there because they can't be under the Constitution. This, folks, is the essence of what it means to be truly "sovereign" with respect to the federal government, which is that you aren't the subject of any federal law. Laws limit rights and take them away. Rights don't come from laws, they come from God! America is "The land of the Kings". Every one of you is a king or ruler over your public servants, and THEY, not you, should be "rendering to Caesar", just as the Bible says in Matt. 22:15:22:

> *"**The people of the state [not the federal government, but the state: IMPORTANT!], as the successors of its former sovereign, are entitled to all the rights which formerly belonged to the king by his own prerogative.**"*
> *[Lansing v. Smith, 4 Wendell 9, (NY) (1829)]*

> *"It will be admitted on all hands that with the exception of the powers granted to the states and the federal government, through the Constitutions, **the people of the several states are unconditionally sovereign within their respective states.**"*
> *[Ohio L. Ins. & T. Co. v. Debolt, 16 How. 416, 14 L.Ed. 997]*

> *"**Sovereignty [that's you!] itself is, of course, not subject to law, for it is the author and source of law**; but in our system, while sovereign powers are delegated to the agencies of government, sovereignty itself remains with the people, by whom and for whom all government exists and acts."*
> *[Yick Wo v. Hopkins, 118 U.S. 356, 6 S.Ct. 1064 (1886)]*

8.8 Title 8 status definitions

"nationals" and "state nationals" are also further defined in 8 U.S.C. §1101 as follows:

> *8 U.S.C. §1101 Definitions [for the purposes of citizenship]*
>
> *(a) As used in this chapter—*
>
> *(21) The term "national" means a person owing permanent allegiance to a state.*
>
> *(22) The term "national of the United States[**]" means:*
>
> > *(A) a citizen of the United States[**], or*
> >
> > *(B) a person who, though not a citizen of the United States[**], owes permanent allegiance to the United States[**].*

Note the suspect word "permanent" in the above definition. Below is the definition of "permanent" from the same title found in 8 U.S.C. §1101(a)(31):

> *8 U.S.C. §1101 Definitions [for the purposes of citizenship]*
>
> *(a) As used in this chapter—*
>
> *(31) The term "permanent" means a relationship of continuing or lasting nature, as distinguished from temporary, but a relationship may be permanent even though it is one that may be dissolved eventually at the instance either of the United States[**] or of the individual, in accordance with law.*

For those of you who are Christians, you realize that this life is very temporary and that nothing on this earth can be permanent, and especially not your life:

> *"In the sweat of your face you shall eat bread*
> *Till you return to the ground,*
> *For out of it you were taken;*
> *For dust you are,*
> *And to dust you shall return."*
> *[God speaking to Adam and Eve, Gen. 3:19, Bible, NKJV]*

If we are going to be "dust", then how can our intact living body have a permanent earthly place of abode? The Bible says in Romans 6:23 that "the wages of sin is death", and that Eve brought sin into the world and thereby cursed all her successors so there is nothing more certain than death, which means there can be nothing physical that is permanent on earth including our very short lives. The only thing permanent is our spirit and not our physical body, which will certainly deteriorate and die. Therefore, there can be no such thing as "permanent allegiance" on our part to anything but God for Christians, because exclusive allegiance to God is the only way to achieve immortality and eternal life. Exclusive allegiance to anything but God is idolatry, in violation of the first four commandments of the ten commandments.

When we bring up the above kinds of issues, some of our readers have said that they don't even like being called "nationals" as they are defined above, and we agree with them. However, it is a practical reality that you cannot get a passport within our society without being either a "national and citizen of the United States** at birth" (per 8 U.S.C. §1401) or a "non-citizen national". The compromise we make in this sort of dilemma is to clarify on our passport application that:

1. The term "U.S." as used on our passport application means the "United States of America" and not the federal United States**.
2. The term "U.S." used on the USA passport application excludes the federal corporation called the United States** government.
3. We are not the statutory "national and citizen of the United States** at birth" defined in 8 U.S.C. §1401.
4. Anyone who interferes with our status declaration in the context of the passport application is doing the following, both of which are a violation of 22 U.S.C. §2721:
 4.1. Interfering with our First Amendment right of free association and freedom from compelled association.

4.2. Compelling us to contract with the government in procuring a franchise status that we don't consent to.

Below, in fact, is a procedure we use to apply for a passport without creating a false presumption that we are a "U.S. citizen" that worked for us:

Getting a USA Passport as a "non-citizen national", Form #10.012 FORMS PAGE: http://sedm.org/Forms/FormIndex.htm

Sneaky, huh? This is a chess game using "words of art" conducted by greedy lawyers to steal your property and your liberty, folks! Now we ask our esteemed readers:

> *"After all the crazy circuitous logic and wild goose chasing that results from listening to the **propaganda** of the government from its various branches on the citizenship definitions, what should a reasonable man conclude about the meanings of these terms? We only have two choices:*
>
> 1. *'United States**' as used in 8 U.S.C. §1101(a)(38) means the federal zone and 'U.S. citizens' are born in the federal zone under all federal statutes and "acts of Congress". This implies that Americans born and domiciled outside the federal zone and in a constitutional state of the Union can only be STATUTORY non-citizen nationals per 8 U.S.C. §1101(a)(21).*
>
> 2. *'United States**' as used in 8 U.S.C. §1101(a)(38) means the entire country and political jurisdictions that are legislatively foreign to that of the federal government which are found in the states. This implies that most Americans can only be statutory "nationals and citizens of the United States" per 8 U.S.C. §1401.*

We believe the answer is that our system of jurisprudence is based on "innocence until proven guilty". In this case, the fact in question is: "Are you a statutory U.S. citizen", and being "not guilty" means having our rights and sovereignty respected by our deceitful government under these circumstances implies being a "national" or a "state national". Therefore, at best, we should conclude that the above analysis is correct and clearly explains the foundations of what it means to be a "national" or a "state national" and why most Americans fit that description. At the very worst, our analysis clearly establishes that federal statutory and case law, at least insofar as "U.S. citizenship" is very vague and very ambiguous and needs further definition. The U.S. Supreme Court has held that when laws are vague, then they are "void for vagueness", null, and unenforceable. See the following cases for confirmation of this fact:

> *"**A statute which either forbids or requires the doing of an act in terms so vague that men and women of common intelligence must necessarily guess at its meaning and differ as to its application, violates the first essential of due process of law.**"*
> *[Connally v. General Construction Co., 269 U.S. 385 (1926)]*
>
> ---
>
> *"**It is a basic principle of due process that an enactment [435 U.S. 982 , 986] is void for vagueness if its prohibitions are not clearly defined**. Vague laws offend several important values. First, because we assume that man is free to steer between lawful and unlawful conduct, we insist that laws give the person of ordinary intelligence a reasonable opportunity to know what is prohibited, so that he may act accordingly. Vague laws may trap the innocent by not providing fair warning. Second, if arbitrary and discriminatory enforcement is to be prevented, laws must provide explicit standards for those who apply them. A vague law impermissibly delegates basic policy matters to policemen, judges, and juries for resolution on an ad hoc and subjective basis, with the attendant dangers of arbitrary and discriminatory application."*
> *[Grayned v. City of Rockford, 408 U.S. 104, 108 (1972), emphasis added]*

We refer you to the following additional rulings of the U.S. Supreme Court on "void for vagueness" as additional authorities:

- *Papachristou v. City of Jacksonville*, 405 U.S. 156 (1972)
- *Cline v. Frink Dairy Co.*, 274 U.S. 445, 47 S. Ct. 681 (1927)
- *Sewell v. Georgia*, 435 U.S. 982 (1978)

Here is the way one of our readers describes the irrational propaganda and laws the government writes:

> *"If it doesn't make sense, it's probably because politics is involved!"*

8.9 Conclusions

Our conclusions then to the matters at our disposal are the following based on the above reasonable analysis:

1. The "United States***" defined in Section 1 of the Fourteenth Amendment means the states of the Union while the "United States**" appearing in federal statutes in most cases, means the federal zone. For instance, the definition of "United States**" relating to citizenship and found in 8 U.S.C. §1101(a)(38) means the federal zone, as we prove in the following:

 Tax Deposition Questions, Form #03.016, Questions 77 through 82 located at: http://famguardian.org/TaxFreedom/Forms/Discovery/Deposition/Section 14.htm.

2. Most Americans, and especially those born in and living within states of the Union are statutory "nationals" or "state nationals" rather than statutory "U.S. citizens", "citizens and nationals of the United States**", or "U.S. nationals" under all "acts of Congress" and federal statutes. The Internal Revenue Code is an "act of Congress" and a federal statute.
3. The government has deliberately tried to confuse and obfuscate the laws on citizenship to fool the average American into incorrectly declaring that they are "U.S. citizens" in order to be subject to their laws and come under their jurisdiction. See section 4.11.10 of our *Great IRS Hoax*, Form #11.302 book for complete details on how they have done it.
4. The courts have not lived up to their role in challenging unconstitutional exercises of power by the other branches of government or in protecting our Constitutional rights. They are on the take like everyone else who works in the federal government and have conspired with the other branches of government in illegally expanding federal jurisdiction.
5. Once the feds used this ruse with words to get Americans under their corrupted jurisdiction as statutory "U.S. citizens" and presumed "taxpayers", our federal "servants" have then made themselves into the "masters" by subjecting sovereign Citizens to their corrupted laws within the federal zone that can disregard the Constitution because the Constitution doesn't apply in these areas. By so doing, they can illegally enforce their income tax laws and abuse their powers to plunder the assets, property, labor, and lives of most Americans in the covetous pursuit of money that the law and the Constitution did not otherwise entitle them to. This act to subvert the operation of the Constitution amounts to an act of war and treason on the sovereignty of Americans and the sovereign states that they are domiciled in, punishable under Article III, Clause 3 of the U.S. Constitution with *death by execution*.

If you would like to read a law review article on the subject of who are "non-citizen nationals of the United States**", please see:

Our Non-Citizen Nationals, Who are They?, California Law Review, Vol. XIII, Sept. 1934, Number 6, pp. 593-635, SEDM Exhibit #01.010
http://sedm.org/Exhibits/ExhibitIndex.htm

9. SUMMARY OF CONSTRAINTS APPLYING TO STATUTORY "NON-CITIZEN NATIONAL" STATUS

So basically, if you owe allegiance to your state and are a constitutional "citizen" of that state, you are a "national" under federal law. But how does that affect one's voting rights? Below is the answer for California:

> *CALIFORNIA CONSTITUTION*
> *ARTICLE 2 VOTING, INITIATIVE AND REFERENDUM, AND RECALL*
>
> *SEC. 2. A United States[**] **citizen** 18 years of age and resident in this State may vote.*

The situation may be different for other states. If you are domiciled in a state other than California, you will need to check the laws of your specific home state in order to determine whether the prohibition against voting applies to "nationals" in your state. If authorities give you a bad time about trying to register to vote without being a *federal* "U.S. citizen", then show them the Declaration of Independence, which says:

> *"We hold these truths to be self-evident, that all men are created equal, that **they are endowed by their Creator with certain unalienable Rights**, that among these are Life, Liberty and the pursuit of Happiness.—"*

Emphasize that it doesn't say "*endowed by their government*" or "*endowed by their federal citizenship*" or "*endowed by their registrar of voters*", but instead "***endowed by their CREATOR***". The rights to life, liberty, and the pursuit of

happiness certainly include suffrage and the right to own property. Suffrage is necessary in turn to protect personal property from encroachment by the government and socialistic fellow citizens. These are not "privileges" that result from *federal citizenship*. They are rights that result from ***birth***! Thomas Jefferson said so:

> *"A free people [claim] their rights as derived from the laws of nature, and not as the gift of their chief magistrate."*
> *[Thomas Jefferson: Rights of British America, 1774. ME 1:209, Papers 1:134]*

> *"Can the liberties of a nation be thought secure when we have removed their only firm basis, a conviction in the minds of the people that these liberties are of the gift of God? That they are not to be violated but with His wrath?"*
> *[Thomas Jefferson: Notes on Virginia Q.XVIII, 1782. ME 2:227]*

We will now analyze the constraints applying to "nationals" :

1. **Right to vote:**
 - 1.1. "nationals" or "state nationals" can *register to vote* under laws in most states but must be careful how they describe their status on the voter registration application.
 - 1.2. Some state voter registration forms have a formal affidavit by which signer swears, under penalties of perjury, that s/he is a "citizen of the United States**" or a "U.S.** citizen".
 - 1.3. Such completed affidavits become admissible evidence and conclusive proof that signer is a "citizen of the United States**" under federal statutes, which is not the same thing as a "national" or "state national".
2. **Right to serve on jury duty:**
 - 2.1. "nationals" or "state nationals" can *serve on jury duty* under most state laws. If your state gives you trouble by not allowing you to serve on jury duty as a "national", you are admonished to litigate to regain your voting rights and change state law.
 - 2.2. Some state jury summons forms have a section that allows persons to disqualify themselves from serving on jury duty if they do not claim to be "citizens of the United States**". We should return the summons form with an affidavit claiming that we want to serve on jury duty and are "nationals" rather than "citizens" of the United States**. If they then disqualify us from serving on jury duty, we should litigate to regain our right to serve on juries.
3. The exercise of federal citizenship, including voting and serving on jury duty, is a statutory privilege which can be created, taxed, regulated and even revoked by Congress! Please reread section 4.3 of *The Great IRS Hoax*, Form #11.302 book about "Government instituted slavery using privileges" for clarification on what this means. In effect, the government, through operation of law, has transformed a right into a taxable privilege, .
4. The exercise of "national" Citizenship is an unalienable Right which Congress cannot tax, regulate or revoke under any circumstances.
5. Such a Right is guaranteed by the U.S. Constitution, which Congress cannot amend without the consent of three-fourths of the Union States.

10. HOW THE GOVERNMENT HAS DELIBERATELY OBFUSCATED THE CITIZENSHIP ISSUE

This section builds on the content of section 4.11.3.8 of the *Great IRS Hoax*, Form #11.302, where we talked about definitions of U.S. citizenship terms. We state throughout this memorandum that the definitions of terms used are *extremely* important, and that when the government wants to usurp additional jurisdiction beyond what the Constitution authorizes, it starts by confusing and obfuscating the definition of key terms. The courts then use this confusion and uncertainty to stretch their interpretation of legislation in order to expand government jurisdiction, in what amounts to "judge-made law". This in turn transforms a government of "laws" into a government of "men" in violation of the intent of the Constitution (see *Marbury v. Madison*, 5 U.S. 137 (1803)). You will see in this section how this very process has been accomplished with the citizenship issue. The purpose of this section is therefore to:

- Provide definitions of the key and more common terms used both by the Federal judiciary courts and the Legislative branch in Title 8 so that you will no longer be deceived.
- Show you how the government and the legal profession have obfuscated key citizenship terms over the years to expand their jurisdiction and control over Americans beyond what the Constitution authorizes.

The main prejudicial and usually invisible presumption that governments, courts and judges make which is most injurious to your rights is the association between the words "citizen" and "citizenship" with the term "domicile". Whenever either you or the government uses the word "citizen", they are making the following presumptions:

1. That you maintain a domicile within their civil legislative jurisdiction. This means that if you are in a federal court, for instance, that you have a legal domicile on federal territory and not within the exclusive jurisdiction of any state of the Union.
2. That you owe allegiance to them and are required as part of that allegiance to pay them "tribute" for the protection they afford.
3. That you are qualified to participate in the affairs of the government as a voter or jurist, even though you may in fact not participate at that time.

10.1 Introduction

The purpose for the deliberate obfuscation of citizenship terms is to accomplish a complete breakdown of the separation of powers between the constitutional states of the Union and the national government, and thus, to compress us all into one mass under a national government just like the rest of the nations of the world. This form of corruption was predicted by Thomas Jefferson, one of our most revered Founding Fathers, when he said:

> *"**When all government, domestic and foreign, in little as in great things, shall be drawn to Washington as the center of all power, it will render powerless the checks provided of one government on another and will become as venal and oppressive as the government from which we separated.**"*
> *[Thomas Jefferson to Charles Hammond, 1821. ME 15:332]*

> *"**What an augmentation of the field for jobbing, speculating, plundering, office-building and office-hunting would be produced by an assumption of all the State powers into the** hands **of the General Government!**"*
> *[Thomas Jefferson to Gideon Granger, 1800. ME 10:168]*

> *The great object of my fear is the Federal Judiciary. That body, like gravity, ever acting with noiseless foot and unalarming advance, gaining ground step by step and holding what it gains, is engulfing insidiously the special governments into the jaws of that which feeds them."*
> *[Thomas Jefferson to Spencer Roane, 1821. ME 15:326]*

> *"The judiciary of the United States is the subtle corps of sappers and miners constantly working under ground to undermine the foundations of our confederated fabric. They are construing our Constitution from a co-ordination of a general and special government to a general and supreme one alone. This will lay all things at their feet, and they are too well versed in English law to forget the maxim, 'boni judicis est ampliare jurisdictionem.'"*
> *[Thomas Jefferson to Thomas Ritchie, 1820. ME 15:297]*

> *"It has long been my opinion, and I have never shrunk from its expression,... that the germ of dissolution of our Federal Government is in the constitution of the Federal Judiciary--an irresponsible body (for impeachment is scarcely a scare-crow), working like gravity by night and by day, gaining a little today and a little tomorrow, and advancing its noiseless step like a thief over the field of jurisdiction until all shall be usurped from the States and the government be consolidated into one. To this I am opposed."*
> *[Thomas Jefferson to Charles Hammond, 1821. ME 15:331*

> *"Contrary to all correct example, [the Federal judiciary] are in the habit of going out of the question before them, to throw an anchor ahead and grapple further hold for future advances of power. They are then in fact the corps of sappers and miners, steadily working to undermine the independent rights of the States and to consolidate all power in the hands of that government in which they have so important a freehold estate."*
> *[Thomas Jefferson: Autobiography, 1821. ME 1:121]*

The systematic and diabolical plan to destroy the separation of powers and all the efforts to implement it are described in:

Government Conspiracy to Destroy the Separation of Powers, Form #05.023 http://sedm.org/Forms/FormIndex.htm

The complete destruction of the separation is accomplished by the following criminal tactics by legislative draftsman, judges, politicians, and government prosecutors in court:

1. Confusing "nationality" with "domicile" or PRESUMING that they are equivalent when they in fact are NOT. This is done by obfuscating the definition of "nationality" in the legal dictionary.

> ***"nationality** – That quality or character which arises from the fact of a person's belonging to a nation or state. **Nationality determines the political status** of the individual, especially with reference to allegiance; while **domicile determines his civil [statutory] status**. Nationality arises either by birth or by naturalization."*
> *[Black's Law Dictionary (6th ed. 1990), p. 1025]*

> ***"nationality** – The relationship between a citizen of a nation and the nation itself, customarily involving allegiance by the citizen and protection by the state; membership in a nation. **This term is often used synonymously with citizenship**. "*
> *[Black's Law Dictionary (8th ed. 2004)]*

2. Confusing the Statutory context with the Constitutional context for geographical words of art when these two contexts are NOT equivalent and in fact are mutually exclusive contexts. Terms this trick is applied to include:
 2.1. "United States" in 26 U.S.C. §7701(a)(9).
 2.2. "State" in 26 U.S.C. §7701(a)(10) and 4 U.S.C. §110(d).
 2.3. "U.S. person" in 26 U.S.C. §7701(a)(30).
 2.4. "U.S. citizen" or "citizen of the United States" in 8 U.S.C. §1401, 26 U.S.C. §3121(e), and 26 C.F.R. §1.1-1.
 2.5. "U.S. resident" in 26 U.S.C. §7701(b)(4).
3. Abusing the words "includes" and "including" as a means of unlawfully adding things to the meanings of words that do not expressly appear and are therefore purposefully excluded per the rules of statutory construction. Such words include:
 3.1. "taxpayer" in 26 U.S.C. §7701(a)(14).
 3.2. "trade or business" in 26 U.S.C. §7701(a)(26). Means "the functions of a public office" and excludes activities of PRIVATE human beings or private entities.
 3.3. "State"
 3.4. "Employer" in 26 U.S.C. §3401(d). Means a government agency which a public officer works for, and not a private company.
 3.5. "Employee" in 26 U.S.C. §3401(c). Means a public officer in the U.S. and not state government and not private human beings per 5 U.S.C. §2105(a).

 For details on the unconstitutional and criminal abuse of language by the government, judges, and prosecutors, see:

Meaning of the Words "includes" and "including", Form #05.014 http://sedm.org/Forms/FormIndex.htm

4. Using the word "United States" as meaning the government, as in the Internal Revenue Code, Subtitle A, but deceiving the reader into thinking that it REALLY means the CONSTITITUIONAL United States. See:

Nonresident Alien Position, Form #05.020, Sections 6 to 7.4 http://sedm.org/Forms/FormIndex.htm

5. Not explaining WHICH of the two contexts apply on government forms but presuming the Statutory context ONLY.
6. Refusing to accept attachments to government forms that clarify the meaning of all terms on forms so as to:
 6.1. Delegate undue discretion to judges and bureaucrats to PRESUME the statutory context.
 6.2. Add things to the meaning of words that do not expressly appear in the law.
7. Refusing to define the LEGAL meaning of the terms used on government forms.
8. Confusing a "federal government" with a "national government", removing the definitions of these two words entirely from the dictionary, or refusing in a court setting to discuss the differences.

> *"**NATIONAL GOVERNMENT**. The government of a whole nation, as distinguished from that of a local or territorial division of the nation, and also as distinguished from that of a league or confederation.*

> *"A national government is a government of the people of a single state or nation, united as a community by what is termed the "social compact,' and possessing complete and perfect supremacy over persons and things, so far as they can be made the lawful objects of civil government. **A federal government is distinguished from a national government by its being the government of a community of independent and sovereign states, united by compact.**" Piqua Branch Bank v. Knoup, 6 Ohio.St. 393."*
> *[Black's Law Dictionary, Revised Fourth Edition, 1968, p. 1176]*

> ***"FEDERAL GOVERNMENT**. The system of government administered in a state formed by the union or confederation of **several independent or quasi independent states**; also the composite state so formed.*

> *In strict usage, there is a distinction between a confederation and a federal government.* ***The former term denotes a league or permanent alliance between several states, each of which is fully sovereign and independent, and each of which retains its full dignity, organization, and sovereignty, though yielding to the central authority a controlling power for a few limited purposes, such as external and diplomatic relations. In this case, the component states are the units, with respect to the confederation, and the central government acts upon them, not upon the individual citizens. In a federal government, on the other hand, the allied states form a union,-not, indeed, to such an extent as to destroy their separate organization or deprive them of quasi sovereignty with respect to the administration of their purely local concerns, but so that the central power is erected into a true state or nation, possessing sovereignty both external and internal,-while the administration of national affairs is directed, and its effects felt, not by the separate states deliberating as units, but by the people of all. in their collective capacity, as citizens of the nation.*** *The distinction is expressed, by the German writers, by the use of the two words "Staatenbund" and "Bundesstaut;" the former denoting a league or confederation of states, and the latter a federal government, or state formed by means of a league or confederation."*
> *[Black's Law Dictionary, Revised Fourth Edition, 1968, p. 740]*

9. Making unconstitutional and prejudicial presumptions about the status of people that connects them with government franchises without their consent or even their knowledge, in some cases. See:

Presumption: Chief Weapon for Unlawfully Enlarging Federal Jurisdiction, Form #05.017 http://sedm.org/Forms/FormIndex.htm

10. Deliberately omitting or refusing to discuss or address any of the above types of abuses in litigation raised against the government in any court, or even penalizing those who raise these issues, and thereby:
 10.1. Criminally obstructing justice.
 10.2. Engaging in organized crime and racketeering, which is committed daily by most federal judges.
 10.3. Engaging in criminal witness tampering against those who want to stop criminal activities by public servants. See 18 U.S.C. §1512.

If you would like tools to prevent all of the above types of gamesmanship by corrupt judges and government prosecutors and bureaucrats, please see:

1. *Citizenship, Domicile, and Tax Status Options*, Form #10.003. Provide during depositions and discovery. http://sedm.org/Forms/FormIndex.htm
2. *Federal Pleading/Motion/Petition Attachment*, Litigation Tool #01.002. Attach to pleadings filed in federal court. http://sedm.org/Litigation/LitIndex.htm
3. *Affidavit of Citizenship, Domicile, and Tax Status*, Form #02.001. Attach to all government forms you are compelled to fill out. http://sedm.org/Forms/FormIndex.htm
4. *Tax Form Attachment*, Form #04.201. Attach to all tax forms you are required to fill out. http://sedm.org/Forms/FormIndex.htm

10.2 The Hague Convention HIDES the ONE portion that differentiates NATIONALITY from DOMICILE

After World War II, countries got together in the Hague Convention and reached international agreements on the proper treatment of people everywhere. The United States was a party to that international agreement. Within that agreement is the following document:

Hague Convention Relating to the Settlement of the Conflicts Between the Law of Nationality and the Law of Domicile [Anno Domini 1955], SEDM Exhibit #01.008

Not surprisingly, the above article within the convention was written originally in FRENCH but is NOT available in or translated into ENGLISH. Why? Because English speaking governments obviously don't want their inhabitants knowing the distinctions between NATIONALITY and DOMICILE and how they interact with each other. The SEDM sister site has found a French speaking person to translate the article, got it translated, and posted it at the following location:

Hague Convention Relating to the Settlement of the Conflicts Between the Law of Nationality and the Law of Domicile [Anno Domini 1955], SEDM Exhibit #01.008 http://sedm.org/Exhibits/ExhibitIndex.htm

10.3 Social Security Administration HIDES your citizenship status in their NUMIDENT records

Your citizenship status is represented in the Social Security NUMIDENT record maintained by the Social Security Administration. The field called "CSP" within NUMIDENT contains a one character code that represents your citizenship status. Valid CSP values are as follows:

Table 9: SSA NUMIDENT CSP Code Values

#	*CSP Code Value*	*Statutory meaning*	*Constitutional meaning*
1	A	U.S. citizen	None
2	B	Legal Alien Allowed to Work	"citizen of the United States" or "Citizen"
3	C	Legal Alien Not Allowed to Work	Alien (foreign national)
4	D	Other	"citizen of the United States" or "Citizen"

This information is DELIBERATELY concealed and obfuscated from public view by the following Social Security policies:

1. The meaning of the CSP codes is NOT listed in the Social Security Program Operations Manual System (POMS) online so you can't find out.
 https://s044a90.ssa.gov/apps10/poms.nsf/partlist!OpenView
2. Employees at the SSA offices are NOT allowed to know and typically DO NOT know what the code means.
3. If you submit a Freedom Of Information Act (FOIA) request to SSA asking them what the CSP code means, they will respond that the values of the codes are CLASSIFIED and therefore UNKNOWABLE by the public. You ARE NOT allowed to know WHAT citizenship status they associate with you. See the following negative response:

 Social Security Admin. FOIA for CSP Code Values, Exhibit #01.011
 http://sedm.org/Exhibits/ExhibitIndex.htm
4. The ONLY option they give you in block 5 entitled "CITIZENSHIP" are the following. They REFUSE to distinguish WHICH "United States" is implied in the term "U.S. citizen", and if they told the truth, the ONLY citizen they could lawfully mean is a STATUTORY "U.S. citizen" per 8 U.S.C. §1401 and NOT a CONSTITUTIONAL citizen, who is a STATUTORY nonresident and alien in relation to the national government with a foreign domicile:
 4.1. "U.S. citizen"
 4.2. "Legal Alien Allowed to Work"
 4.3. "Legal Alien NOT allowed to Work" (See Instructions on Page 1)
 4.4. "Other" (See instructions on page 1)
 See:

 SSA Form SS-5
 http://www.famguardian.org/TaxFreedom/Forms/Emancipation/ss-5.pdf

Those who are domiciled outside the statutory "United States**" or in a constitutional state of the Union and who want to correct the citizenship records of the SSA must submit a new SSA Form SS-5 to the Social Security Administration (SSA) and check "Legal Alien Allowed to Work" in Block 5 pursuant to 20 C.F.R. §422.110(a). This changes the CSP code in their record from "A" to "B". If you go into the Social Security Office and try to do this, the local offices often will try to give you a run-around with the following abusive and CRIMINAL tactics:

1. When you ask them about the meaning of Block 5, they will refuse to indicate whether the citizenship indicated is a CIVIL/STATUTORY status or a POLITICAL/CONSTITUTIONAL status. It can't be both. It must indicate NATIONALITY or DOMICILE, but not BOTH.
2. They will first try to call the national office to ask about your status in Block 5.
3. They will ABSOLUTELY REFUSE to involve you in the call or to hear what is said, because they want to protect the perpetrators of crime on the other end. Remember, terrorists always operate anonymously and they are terrorists. You should bring your MP3 voice record, insist on being present, and put the phone on speaker phone, and do EXACTLY the same thing they do when you call them directly by saying the following:

 > *"This call is being monitored for quality assurance purposes, just like you do to me without my consent ALL THE TIME."*

4. After they get off the phone, they will refuse to tell you the full legal name of the person on the other end of the call to protect those who are perpetuating the fraud.

5. They will tell you that they want to send your SSA Form SS-5 to the national office in Baltimore, Maryland, but refuse to identify EXACTLY WHO they are sending it to, because they don't want this person sued personally as they should be.
6. The national office will sit on the form forever and refuse to make the change requested, and yet never justify with the law by what authority they:
 6.1. Perpetuate the criminal computer fraud that results from NOT changing it.
 6.2. Perpetuate the criminal violation of 18 U.S.C. §911 by NOT changing it.
7. They will allow you to change ANYTHING ELSE on the form without their permission, but if you want to change your CITIZENSHIP, they essentially interfere with it illegally and criminally.

The reason they play all the above obfuscation GAMES and hide or classify information to conceal the GAMES is because they want to protect what they certainly know are the following CRIMES on their part and that of their employees:

1. They can't offer federal benefits to CONSTITUTIONAL but not STATUTORY citizens with a domicile outside of federal territory. If they do, they would be criminally violating 18 U.S.C. §911.
2. They can't pay public monies to PRIVATE parties, and therefore you CANNOT apply with the SS-5 for a "benefit" unless you are a public officer ALREADY employed with the government. If they let PRIVATE people apply they are conspiring to commit the crime of impersonating a public officer in violation of 18 U.S.C. §912.
3. They aren't allowed to offer or enforce any government franchise within the borders of a Constitutional but not STATUTORY state of the Union, as held by the U.S. Supreme Court, so they have to make you LOOK like a STATUTORY citizen, even though you aren't, in order to expand their Ponzi Scheme outside their GENERAL jurisdiction and into legislatively foreign states.

> *"Congress cannot authorize [LICENSE, using a de facto license number called a "Social Security Number"] a trade or business within a State in order to tax it."*
> *[License Tax Cases, 72 U.S. 462, 18 L.Ed. 497, 5 Wall. 462, 2 A.F.T.R. 2224 (1866)]*

The only status a state domiciled CONSTITUTIONAL but not STATUTORY citizen can put on the form is "Other" or "Legal [STATUTORY] Alien Allowed to Work". The instructions say following about "Other" option:

> *"If you check "Other", you need to provide proof that you are entitled to a federally-funded benefit for which Social Security number is required as a condition for you to receive payment."*

In answer to the above query in connection with the "Other" option, we suggest:

> *"DO NOT seek any federally funded benefit. I want a NONtaxpayer number that entitles me to ABSOLUTELY NOTHING as a NONRESIDENT not subject to federal law and NOT qualified to receive benefits of any kind. I am only applying because:*
>
> *1. I am being illegally compelled to use a number I know I am not qualified to ask for.*
>
> *2. The number was required as a precondition condition of PRIVATE employment or opening an PRIVATE financial account by a NONRESIDENT ALIEN who is NOT a "U.S. citizen" or "U.S. person" and who is NOT required to have or use such a number by 31 C.F.R. §306.10, 31 C.F.R. §103.34(a)(3)(x), and IRS Pub. 515.*
>
> *I ask that you criminally prosecute them for doing so AND provide a statement on SSA letterhead indicating that I am NOT eligible that I can show them. Furthermore, if you do have any numbers on file connected with my name, I ask that they be rescinded permanently from your records."*

Then you may want to attach the following forms to the application to ENSURE that they reject your application and TELL you that you are NOT eligible so you can show it to the person who is COMPELLING you to use a number:

1. *Affidavit of Citizenship, Domicile, and Tax Status*, Form #02.001
 http://sedm.org/Forms/FormIndex.htm
2. *Why It is Illegal for Me to Request or Use a "Taxpayer Identification Number"*, Form #04.205
 http://sedm.org/Forms/FormIndex.htm

10.4 "Citizenship" in federal court implies Domicile on federal territory not within any state

The following legal authorities conclusively establish that the terms "citizen", "citizenship", and "domicile" are synonymous in federal courts. They validate all of the above conclusive presumptions that government employees, officers, and judges habitually make when you appear before them or submit a government form to them, unless you specify or explain otherwise. Government employees, officers, and judges just HATE to discuss or document these presumptions, which is why authorities to prove their existence are so difficult to locate.

> *"**Domicile and citizen are synonymous in federal courts**, Earley v. Hershey Transit Co., D.C. Pa., 55 F.Supp. 981, 982; inhabitant, resident and citizen are synonymous, Standard Stoker Co. v. Lower, D.C.Md., 46 F.2d. 678, 683."*
> *[Black's Law Dictionary, Fourth Edition, p. 311]*

> *The terms "citizen" and "citizenship" are distinguishable from "resident" or "inhabitant." Jeffcott v. Donovan, C.C.A.Ariz., 135 F.2d. 213, 214; and from "domicile," Wheeler v. Burgess, 263 Ky. 693, 93 S.W.2d. 351, 354; First Carolinas Joint Stock Land Bank of Columbia v. New York Title & Mortgage Co., D.C.S.C., 59 F.2d. 350, 351. **The words "citizen" and citizenship," however, usually include the idea of domicile, Delaware, L. & W.R.Co. v. Petrowsky, C.C.A.N.Y., 250 F. 554, 557**; citizen inhabitant and resident often synonymous, Jonesboro Trust Co. v. Nutt, 118 Ark. 368, 176 S.W. 322, 324; Edgewater Realty Co. v. Tennessee Coal, Iron & Railroad Co., D.C.Md., 49 F.Supp. 807, 809; and citizenship and domicile are often synonymous. Messick v. Southern Pa. Bus Co., D.C.Pa., 59 F.Supp. 799, 800.*
> *[Black's Law Dictionary, Fourth Edition, p. 310]*

> *"Citizenship and domicile are substantially synonymous. Residency and inhabitance are too often confused with the terms and have not the same significance. Citizenship implies more than residence. It carries with it the idea of identification with the state and a participation in its functions. As a citizen, one sustains social, political, and moral obligation to the state and possesses social and political rights under the Constitution and laws thereof. Harding v. Standard Oil Co. et al. (C.C.) 182 F. 421; Baldwin v. Franks, 120 U.S. 678, 7 S.Ct. 763, 32 L.Ed. 766; Scott v. Sandford, 19 How. 393, 476, 15 L.Ed. 691."*
> *[Baker v. Keck, 13 F.Supp. 486 (1936)]*

> *"The term 'citizen', as used in the Judiciary Act with reference to the jurisdiction of the federal courts, is substantially synonymous with the term 'domicile'. Delaware, L. & W.R. Co. v. Petrowsky, 2 Cir., 250 F. 554, 557."*
> *[Earley v. Hershey Transit Co., 55 F.Supp. 981, D.C.PA. (1944)]*

No person, may be compelled to choose a domicile or residence ANYWHERE. By implication, no one but you can commit yourself to being a "citizen" or to accepting the responsibilities or liabilities that go with it.

> *"**The rights of the individual are not derived from governmental agencies**, either municipal, state or federal, or even from the Constitution. They exist inherently in every man, by endowment of the Creator, and are merely reaffirmed in the Constitution, and **restricted only to the extent that they have been voluntarily surrendered by the citizenship to the agencies of government.** The people's rights are not derived from the government, but the government's authority comes from the people.*946 The Constitution but states again these rights already existing, and when legislative encroachment by the nation, state, or municipality invade these original and permanent rights, it is the duty of the courts to so declare, and to afford the necessary relief. The fewer restrictions that surround the individual liberties of the citizen, except those for the preservation of the public health, safety, and morals, the more contented the people and the more successful the democracy."*
> *[City of Dallas v Mitchell, 245 S.W. 944 (1922)]*

> *"Citizenship" and "residence", as has often been declared by the courts, are not convertible terms. ... "The better opinion seems to be that a citizen of the United States is, under the amendment [14th], prima facie a citizen of the state wherein he resides , cannot arbitrarily be excluded therefrom by such state, but that **he does not become a citizen of the state against his will, and contrary to his purpose and intention to retain an already acquired citizenship elsewhere. The amendment [14th] is a restraint on the power of the state, but not on the right of the person to choose and maintain his citizenship or domicile**"".*
> *[Sharon v. Hill, 26 F. 337 (1885)]*

Since "citizen", "citizenship", and "domicile" are all synonymous, then you can only be a "citizen" in ONE place at a time. This is because you can only have a "domicile" in one place at a time.

> *"**domicile**. A person's legal home. That place where a man has his true, fixed, and **permanent home** and principal establishment, and to which whenever he is absent he has **the intention of** returning. Smith v. Smith, 206 Pa.Super. 310, 213 A.2d. 94. Generally, physical presence within a state and **the intention** to make it one's home are the requisites of establishing a "domicile" therein. The permanent residence of a person or the place to which he **intends to** return even though he may actually reside elsewhere. A person may have more than one residence but only one domicile. **The legal domicile of a person is important since it, rather than the actual residence, often controls the jurisdiction of the taxing authorities and determines where a person may exercise the privilege of voting and other legal rights and privileges.**"*

[Black's Law Dictionary, Sixth Edition, p. 485]

The implications of this revelation are significant. It means that in relation to the state and federal governments and their mutually exclusive territorial jurisdictions, you can only be a statutory "citizen" of one of the two jurisdictions at a time. Whichever one you choose to be a "citizen" of, you become a "national but not a citizen" in relation to the other. You can therefore be subject to the civil laws of only one of the two jurisdictions at a time. Whichever one of the two jurisdictions you choose your domicile within becomes your main source of protection.

Choice of domicile is an act of political affiliation protected by the First Amendment prohibition against compelled association:

> *Just as there is freedom to speak, to associate, and to believe, so also there is freedom not to speak, associate, or believe "**The right to speak and the right to refrain from speaking [on a government tax return, and in violation of the** Fifth Amendment **when coerced, for instance] are complementary components of the broader concept of 'individual freedom of mind.**" Wooley v. Maynard, [430 U.S. 703] (1977). Freedom of conscience dictates that no individual may be forced to espouse ideological causes with which he disagrees:*
>
> *"[A]t the heart of the First Amendment is the notion that the individual should be free to believe as he will, and that in a free society one's beliefs should be shaped by his mind and by his conscience rather than coerced by the State [through illegal enforcement of the revenue laws]." Abood v. Detroit Board of Education [431 U.S. 209] (1977)*
>
> ***Freedom from compelled association is a vital component of freedom of expression.** Indeed, freedom from compelled association illustrates the significance of the liberty or personal autonomy model of the First Amendment. **As a general constitutional principle, it is for the individual and not for the state to choose one's associations and to define the persona which he holds out to the world.***
> *[First Amendment Law, Barron-Dienes, West Publishing, ISBN 0-314-22677-X, pp. 266-267]*

10.5 Obfuscated federal definitions to confuse Statutory Context with Constitutional Context

Beyond the above authorities, we then tried to locate credible legal authorities that explain the distinctions between the constitutional context and the statutory context for the term "United States". The basic deception results from the following:

1. **The differences in meaning of the term "United States" between the U.S. Constitution and federal statutes**. The term "United States***" in the Constitution means the collective 50 states of the Union (the United States of America), while in federal statutes, the term "United States**" means the *federal zone*.
2. **Differences between citizenship definitions found in Title 8, the Aliens and Nationality Code, and those found in Title 26, the Internal Revenue Code**. The term "nonresident alien" as used in Title 26, for instance, does *not* appear anywhere in Title 8 but is the equivalent of the term "national" found in 8 U.S.C. §1101(a)(22)(B) as well as 8 U.S.C. §1101(a)(21) in combination with 8 U.S.C. §1452.
3. **Differences between statutory citizenship definitions and the language of the courts**. The language of the courts is *independent* from the statutory definition so that it is difficult to correlate the term the courts are using and the related statutory definition. We will include in this section separate definitions for the statutes and the courts to make these distinctions clear in your mind.

We will start off by showing that no authoritative definition of the term "citizen of the United States***" existed before the Fourteenth Amendment was ratified in 1868. This was revealed in the *Slaughter-House Cases, 83 U.S. (16 Wall.) 36, 21 L.Ed. 394 (1873)*:

> *"The 1st clause of the 14th article was primarily intended to confer citizenship of the United States[***] and citizenship of the states, and it recognizes the distinction between citizenship of a state and citizenship of the United States[***] by those definitions.*
>
> *"The 1st section of the 14th article, to which our attention is more specifically invited, opens with a definition of citizenship—not only citizenship of the United States[***], but citizenship of the states. **No such definition was previously found in the Constitution, nor had any attempt been made to define it by act of Congress. It had been the occasion of much discussion in the courts, by the executive departments and in the public journals. It had been said by eminent judges that no man was a citizen of the United States[***] except as he was a citizen of one of the state comprising the Union.** Those, therefore, who had been born and resided always in the District of Columbia or in the territories, though within the United States[*], were not citizens."*

[…]

*"**To remove this difficulty primarily, and to establish a clear and comprehensive definition of citizenship which should declare what should constitute citizenship of the United States[***] and also citizenship of a state, the 1st clause of the 1st section [of the Fourteenth Amendment] was framed**:*

*'All persons born or naturalized in the United States[***] and subject to the jurisdiction thereof are citizens of the United States[***] and of the state wherein they reside.'*

*"The first observation we have to make on this clause is that it puts at rest both the questions which we stated to have been the subject of differences of opinion. It declares that persons may be citizens of the United States[***] without regard to their citizenship of a particular state, and it overturns the Dred Scott decision by making all persons born within the United States[***] and subject to its jurisdiction citizens of the United States[***]. That its main purpose was to establish the citizenship of the negro can admit of no doubt. The phrase 'subject to its jurisdiction" was intended to exclude from its operation children of ministers, consuls and citizens or subjects of foreign states born within the United States[***]."*

*"The next observation is more important in view of the arguments of counsel in the present case. **It is that the distinction between citizenship of the United States[***] and citizenship of a state is clearly recognized and established. Not only may a man be a citizen of the United States[***] without being a citizen of a state, but an important element is necessary to convert the former into the latter. He must reside within the state to make him a citizen of it but it is only necessary that he should be born or naturalized in the United States[***] to be a citizen of the Union.***

*It is quite clear, then, that there is a citizenship of the United States[***], and a citizenship of a state, which are distinct from each other and which depend upon different characteristics or circumstances of the individual."*
[Slaughter-House Cases, 83 U.S. (16 Wall.) 36, 21 L.Ed. 394 (1873)]

A careful reading of *Boyd v. Nebraska*, 143 U.S. 135 (1892) helps clarify the true meaning of the term "citizen of the United States***" in the context of the U.S. Constitution and the rulings of the U.S. Supreme Court. It shows that a "citizen of the United States***" is indeed a "national" in the context of federal statutes only:

*"Mr. Justice Story, in his Commentaries on the Constitution, says: '**Every citizen of a state is ipso facto a citizen of the [143 U.S. 135, 159] United States[***].**' Section 1693. And this is the view expressed by Mr. Rawle in his work on the Constitution. Chapter 9, pp. 85, 86. Mr. Justice CURTIS, in Dred Scott v. Sandford, 19 How. 393, 576, expressed the opinion that under the constitution of the United States[***] **'every free person, born on the soil of a state, who is a citizen of that state by force of its constitution or laws, is also a citizen of the United States[***].'** And Mr. Justice SWAYNE, in The Slaughter-House Cases, 16 Wall. 36, 126, declared that **'a citizen of a state is ipso facto a citizen of the United States[***].'** But in Dred Scott v. Sandford, 19 How. 393, 404, Mr. Chief Justice TENEY, delivering the opinion of the court, said: 'The words 'people of the United States[***]' and 'citizens,' are synonymous terms, and mean the same thing. They both describe the political body who, according to our republican institutions, form the sovereignty, and who hold the power and conduct the government through their representatives. They are what we familiarly call the 'sovereign people,' and every citizen is one of this people, and a constituent member of this sovereignty. ... **In discussing this question, we must not confound the rights of citizenship which a state may confer within its own limits and the rights of citizenship as a member of the Union.** It does not by any means follow, because he has all the rights and privileges of a citizen of a state, that he must be a citizen of the United States[***]. He may have all of the rights and privileges of the citizen of a state, and yet not be entitled to the rights and privileges of a citizen in any other state; for, previous to the adoption of the constitution of the United States[***], every state had the undoubted right to confer on whomsoever it pleased the character of citizen, and to endow him with all its rights. But this character, of course, was confined to the boundaries of the state, and gave him no rights or privileges in other states beyond those secured to him by the laws of nations and the comity of states. Nor have the several states surrendered the power of conferring these rights and privileges by adopting the constitution of the United States[***]. Each state may still confer them upon an alien, or any one it thinks proper, or upon any class or description of persons; yet he would not be a citizen in the sense in [143 U.S. 135, 160] which that word is used in the constitution of the United States[***], nor entitled to sue as such in one of its courts, nor to the privileges and immunities of a citizen in the other states. The rights which he would acquire would be restricted to the state which gave them. The constitution has conferred on congress the right to establish a uniform rule of naturalization, and this right is evidently exclusive, and has always been held by this court to be so. Consequently no state, since the adoption of the constitution, can, by naturalizing an alien, invest him with the rights and privileges secured to a citizen of a state under the federal government, although, so far as the state alone was concerned, he would undoubtedly be entitled to the rights of a citizen, and clothed with all the rights and immunities which the constitution and laws of the state attached to that character.' "*
[Boyd v. Nebraska, *143 U.S. 135 (1892)]*

Notice above that the term "citizen of the United States***" and "rights of citizenship as a member of the Union" are described synonymously. Therefore, a "citizen of the United States***" under the Fourteenth Amendment, section 1 and a "national" under 8 U.S.C. §1101(a)(21) are synonymous. As you will see in the following cite, people who were born in a

state of the Union always were "citizens of the United States***" by the definition of the U.S. Supreme Court, which made them "nationals of the United States*** of America" under federal statutes. What the Fourteenth Amendment did was extend the privileges and immunities of "nationals" (defined under federal statutes) to people of races other than white. The cite below helps confirm this:

> *"The 1st section of the 14th article [Fourteenth Amendment], to which our attention is more specifically invited, opens with a definition of citizenship—not only citizenship of the United States[***], but citizenship of the states.* ***No such definition was previously found in the Constitution, nor had any attempt been made to define it by act of Congress.*** *It had been the occasion of much discussion in the courts, by the executive departments and in the public journals.* ***It had been said by eminent judges that no man was a citizen of the United States[***] except as he was a citizen of one of the states composing the Union. Those therefore, who had been born and resided always in the District of Columbia or in the territories, though within the United States[*], were not citizens.*** *Whether this proposition was sound or not had never been judicially decided."*
> *[Slaughter-House Cases, 83 U.S. (16 Wall.) 36, 21 L.Ed. 394 (1873)]*

We explained in section 4.1.1.3.6 of the *Great IRS Hoax*, Form #11.302 that the federal courts and especially the Supreme Court have done their best to confuse citizenship terms and the citizenship issue so that most Americans would be unable to distinguish between "national" and "U.S. citizen" status found in federal statutes. This deliberate confusion has then been exploited by collusion of the Executive Branch, who have used their immigration and naturalization forms and publication and their ignorant clerk employees to deceive the average American into thinking they are "U.S. citizens" in the context of federal statutes. Based on our careful reading of various citizenship cases mainly from the U.S. Supreme Court, Title 8 of the U.S. Code, Title 26 of the U.S. Code, as well as Black's Law Dictionary, Sixth Edition, below are some citizenship terms commonly used by the court and their correct and unambiguous meaning in relation to the statutes found in Title 8, which is the Aliens and Nationality Code:

Table 10: Citizenship terms

#	Term	Context	Meaning	Authorities	Notes
1	"nation"	Everywhere	In the context of the United States*** of America, a state of the union. The federal government and all of its possessions and territories are *not* collectively a "nation". The "country" called the "United States*" is a "nation", but our federal government and its territories and possessions are *not* collectively a "nation".	1. *Chisholm v. Georgia*, 2 Dall. (U.S.) 419, 1 L.Ed. 440 (1793) 2. Black's Law Dictionary, revised Fourth Edition, 1968, p. 1176 under "National Government". 3. *Hooven and Allison Co. v. Evatt*, 324 U.S. 652 (1945).	The "United States*** of America" is a "federation" and not a "nation". Consequently, the government is called a "federal government" rather than a "national government". See section 4.6 of *Great IRS Hoax*, Form #11.302 for further explanation.
2	"national" or "non-citizen National"	Everywhere	"national" is a person born abroad, or in one of the 50 union states and not in the federal zone or an outlying possession or territory of the United States**. All "nationals" owe their permanent allegiance to the "United States***" under 8 U.S.C. §1101(a)(22)(B). Usually, either one or both of their parents are also "Nationals".	1. 8 U.S.C. §1408. 2. 8 U.S.C. §1101(a)(22)(B). 3. 8 U.S.C. §1452. 4. 8 U.S.C. §1101(a)(22). 5. 3C Am.Jur.2d. §2732-2752: Noncitizen nationality	We could find no mention of the term "U.S. national" by the Supreme Court. We were told that this term was first introduced into federal statues in the 1930's.
3	"naturalization"	Everywhere	The process of conferring **nationality** and "**national**" status *only*, but not "U.S. citizen" status.	1. 8 U.S.C. §1101(a)(23): "The term ''naturalization'' means the conferring of **nationality** [NOT "citizenship" or "U.S. citizenship", but "nationality", which means "national"] of a **state** [of the union] upon a person after birth, by any means whatsoever." 2. Black's Law Dictionary, Sixth Edition, page 1063 under "naturalization".	The U.S. Citizenship and Immigration Services (USCIS) is responsible for naturalization in the United States*** of America. Their "Application for naturalization", Form N-400, only uses the term "U.S. citizen" and *never* mentions "national". On this form, the term "U.S. citizen" must therefore mean "national" in the context of this form based on the definition of "naturalization", but you can't tell because the form doesn't refer to a definition of what "U.S. citizen" means.
4	"expatriation"	Everywhere	"The voluntary renunciation or abandonment of **nationality** [not "U.S. citizenship" or "citizen of the United States***" status] and allegiance."	1. *Perkins v. Elg*, 307 U.S. 325, 59 S.Ct. 884, 83 L.Ed. 1320 (1939) 2. 8 U.S.C. §1401. 3. 8 U.S.C. §1101(a)(22).	Renouncing one's statutory "citizen of the United States**" status and reverting to a "national" is not "expatriation", because both "citizens of the United States**" and "nationals but not citizens" are "nationals of the United States**" under 8 U.S.C. §1401 and 8 U.S.C. §1101(a)(22).

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#	Term	Context	Meaning	Authorities	Notes
5	"citizenship"	Everywhere	Persons with a legal domicile within the jurisdiction of a sovereign and who were born SOMEWHERE within the country, although not necessarily within that specific jurisdiction..	1. *Perkins v. Elg*, 307 U.S. 325, 59 S.Ct. 884, 83 L.Ed. 1320 (1939) 2. 8 U.S.C.A. §1401, Notes. See note 1 below. 3. *Slaughter-House Cases, 83 U.S. (16 Wall.) 36, 21 L.Ed. 394 (1873)* 4. 3C Am.Jur.2d. §2732-2752: Noncitizen nationality	*Perkins v. Elg*, 307 U.S. 325 (1939) says: "***To cause a loss of citizenship*** *in the absence of treaty or statute having that effect, there must be a voluntary action and such action cannot be attributed to an infant whose removal to another country is beyond his control and who during minority is incapable of a binding choice. By the Act of July 27, 1868, Congress declared that 'the right of expatriation is a natural and inherent right of all people".* ***Expatriation is the voluntary renunciation or abandonment of nationality and allegiance.***" This implies that "loss of citizenship" and "expatriation", which is "loss of nationality" are equivalent. *Slaughter-House Cases*, 83 U.S. 36 (1873) says: "The next observation is more important in view of the arguments of counsel in the present case. **It is that the distinction between citizenship of the United States[***] and citizenship of a state is clearly recognized and established [by the Fourteenth Amendment].** Not only may a man be a citizen of the United States[***] without being a citizen of a state, but an important element is necessary to convert the former into the latter. **He must reside within the state to make him a citizen of it but it is not necessary that he should be born or naturalized in the [country] United States[***] to be a citizen of the Union.** **"It is quite clear, then, that there is a citizenship [nationality] of the United States[***], and a citizenship [nationality]of a state, which are distinct from each other and which depend upon different characteristics or circumstances of the individual.**"

#	Term	Context	Meaning	Authorities	Notes
6	"citizen" used *alone* and without the term "U.S.**" in front or "of the United States**" after it	1. U.S.*** Constitution 2. U.S.** Supreme Court rulings	A "national of the United States**" in the context of federal statutes or a "citizen of the United States***" in the context of the Constitution or state statutes unless specifically identified otherwise.	1. See *Minor v. Happersett*, 88 U.S. 162 (1874): ***Citizen is now more commonly employed, however, and as it has been considered better suited to the description of one living under a republican government, it was adopted by nearly all of the States upon their separation from Great Britain, and was afterwards adopted in the Articles of Confederation and in the Constitution of the United States[***]. When used in this sense it is understood as conveying the idea of membership of a nation, and nothing more.*** *" [Minor v. Happersett, 88 U.S. 162 (1874)]* *2.* See also Boyd v. Nebraska, 143 U.S. 135 (1892), which says: *"The words 'people of the United States[***]' and 'citizens,' are synonymous terms, and mean the same thing. They both describe the political body who, according to our republican institutions, form the sovereignty, and who hold the power and conduct the government through their representatives. They are what we familiarly call the 'sovereign people,' and every citizen is one of this people, and a constituent member of this sovereignty. ..." [Boyd v. State of Nebraska, 143 U.S. 135 (1892)]*	1. To figure this out, you have to look up federal court cases that use the terms "expatriation" and "naturalization" along with the term "citizen" and use the context to prove the meaning to yourself. 2. In 26 C.F.R. § 1.1-1, the term "citizen" as used means "U.S. citizen" rather than "national". The opposite is true of Title 8 of the U.S.C. and most federal court rulings. This is because of the definition of "United States**" within Subtitle A of the Internal Revenue Code, which means the *federal zone only*.
7	"citizen" used *alone* and without the term "U.S.**" in front or "of the United States**" after it	State statues	Person with a legal domicile within the exclusive jurisdiction of a state of the Union who is NOT a "citizen" under federal statutory law.	*Law of Nations*, Vattel, Section 212.	Because states are "nations" under the law of nations and have police powers and exclusive legislative jurisdiction within their borders, then virtually all of their legislation is directed toward their own citizens exclusively. See section 4.9 of the *Great IRS Hoax*, Form #11.302 earlier for further details on "police powers".
8	"citizen" used *alone* and without the term "U.S.**" in front or "of the United States**" after it	Federal statutes including Title 26, the Internal Revenue Code and Title 8, Aliens and Nationality	Not defined anywhere in Title 8. Persons with a legal domicile within the jurisdiction of a sovereign and who were born SOMEWHERE within the country, although not necessarily within that specific jurisdiction..	1. Defined in 26 C.F.R. §31.3121(e)-1. See Note 2.	This term is ***never defined*** anywhere in Title 8 but it is defined in 26 C.F.R. §31.3121(e)-1. You will see it most often on government passport applications, voter registration, and applications for naturalization. These forms ***also*** don't define the meaning of the term nor do they equate it to either "national" or "citizen of the United States**". The person filling out the form therefore ***must*** define it himself on the form to eliminate the ambiguity or be presumed incorrectly to be a "citizen of the United States***" under section 1 of the 14th Amendment.
9	"United States citizenship"	Everywhere	The status of being a "national". Note that the term "U.S. citizen" looks similar but not identical and is *not* the same as this term, and this is especially true on federal forms.	See "citizenship".	Same as "citizenship".

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#	Term	Context	Meaning	Authorities	Notes
10	"citizens of the United States"	Everywhere	A collection of people who are "nationals" and who in most cases are not a "citizen of the United States**" or a "U.S.** citizen" under "acts of Congress" or federal statutes unless at some point after becoming "nationals", they incorrectly declared their status to be a "citizen of the United States**" under 8 U.S.C. §1401 or changed their domicile to federal territory.	See "citizenship".	Note that the definition of "citizen of the United States" and "citizens of the United States" are different.
11	"citizen of the United States"	Federal statutes	Persons with a legal domicile on federal territory that is no part of the exclusive jurisdiction of any state of the Union. Born SOMEWHERE within the country, although not necessarily within that specific jurisdiction.	1. 8 U.S.C.A. §1401. 2. *3C AmJur.2d §2689 ("U.S. citizen").* 3. 26 C.F.R. §31.3121(e)-1. 4. *United States v. Wong Kim Ark*, 169 U.S. 649; 18 S.Ct. 456; 42 L.Ed. 890 (1898) 5. *Cunard S.S. Co. v. Mellon, 262 U.S. 100, 43 S.Ct. 504 (1923)*	Term "United States**" in federal statutes is defined as federal zone so a "citizen of the United States**" is a citizen of the federal zone only. According to the U.S. Supreme Court in the *Slaughter-House Cases, 83 U.S. (16 Wall.) 36, 21 L.Ed. 394 (1873)*, this term was ***not*** defined before the ratification of the Fourteenth Amendment in 1868. Section 1 of the 14th Amendment established the circumstances under which a person was a "citizen of the United States***". Note that the terms "citizens of the United States" and "citizen of the United States" are nowhere made equivalent in Title 8, and we define "citizens of the United States" above differently.
12	"citizen of the United States"	State statutes U.S. Supreme Court Constitution	Person who maintains a legal domicile within the exclusive jurisdiction of a state of the Union. A "national" and a "non-citizen national" as defined in 8 U.S.C. §1101(a)(21).	*1.* 8 U.S.C. §1101(a)(21). *2.* 8 U.S.C. §1101(a)(22)(B) *3. Slaughter-House Cases, 83 U.S. (16 Wall.) 36, 21 L.Ed. 394 (1873)* *4.* 3C American Jurisprudence 2d, Aliens and Citizens, §2732-2752 (1999): Noncitizen nationality	8 U.S.C.A. §1401 notes indicates: "*The basis of citizenship in the United States[**] is the English doctrine under which* ***nationality*** *meant birth within allegiance to the king.*"
13	"citizen of the Union"	Everywhere	A "national of the United States***" or a "national"	1. *Slaughter-House Cases, 83 U.S. (16 Wall.) 36, 21 L.Ed. 394 (1873)*	"*Slaughter-House Cases*, 83 U.S. 36 (1873) says: "The next observation is more important in view of the arguments of counsel in the present case. **It is that the distinction between citizenship of the United States[***] and citizenship of a state is clearly recognized and established [by the Fourteenth Amendment].** Not only may a man be a citizen of the United States[***] without being a citizen of a state, but an important element is necessary to convert the former into the latter. **He must reside within the state to make him a citizen of it but it is not necessary that he should be born or naturalized in the [country] United States[***] to be a citizen of the Union."**

#	Term	Context	Meaning	Authorities	Notes
14	"U.S. citizen"	Title 26: Internal Revenue Code (which is a federal statute or "act of Congress)	Not defined anywhere in Title 8 that we could find. Defined in 26 C.F.R. §31.3121(e)-1, and there it means a person with a domicile on federal territory that is not part of the exclusive jurisdiction of any state of the Union.	1. Defined in 26 C.F.R. §31.3121(e)-1. See Note 2.	This term is ***never defined*** anywhere in Title 8 but it is defined in 26 C.F.R. §31.3121(e)-1. You will see it most often on government passport applications, voter registration, and applications for naturalization. These forms ***also*** don't define the meaning of the term nor do they equate it to either "national" or "citizen of the United States**". The person filling out the form therefore ***must*** define it himself on the form to eliminate the ambiguity or be presumed incorrectly to be a "citizen of the United States***" under section 1 of the 14th Amendment.

NOTES FROM THE ABOVE TABLE:

1. 8 U.S.C.A. §1401 under "Notes", says the following:

*"The right of citizenship, as distinguished from alienage, is a national right or condition, and it pertains to the confederated sovereignty, the United States[**], and not to the individual states. Lynch v. Clarke, N.Y.1844, 1 Sandf.Ch. 583"*

*"By 'citizen of the state" is meant a citizen of the United States[**] whose domicile is in such state. Prowd v. Gore, 1922, 207 P. 490, 57 Cal.App. 458"*

*"One who becomes citizen of United States[**] by reason of birth retains it, even though by law of another country he is also citizen of it."*

*"The basis of citizenship in the United States[**] is the English doctrine under which* ***nationality*** *meant birth within allegiance to the king."*

2. 26 C.F.R. §31.3121(e)-1 defines "U.S. citizen" as follows:

*26 C.F.R. 31.3121(e)-1 State, United States[**], and citizen.*

*(b)…The term 'citizen of the United States[**]' includes a citizen of the Commonwealth of Puerto Rico or the Virgin Islands, and, effective January 1, 1961, a citizen of Guam or American Samoa.*

We put the term "U.S. citizen" last in the above table because we would now like to expand upon it. We surveyed the election laws of all 50 states to determine which states require persons to be either "U.S. citizens" or "citizen of the United States" in order to vote. The results of our study are found on our website below at:

http://famguardian.org/Subjects/LawAndGovt/Citizenship/PoliticalRightsvCitizenshipByState.htm

10.6 State statutory definitions of "U.S. citizen"

If you look through all the state statutes on voting above, you will find that only California, Indiana, Texas, Virginia, and Wisconsin require you to be either a "U.S. citizen" or a "United States citizen" in order to vote, and *none* of these five states even define in their election code what these terms mean! 26 other states require you to be a "citizen of the United States" and don't define that term in their election code either! This means that a total of 31 of the 50 states positively require some type of citizenship related to the term "United States" in order to be eligible to vote and none of them define which of the three "United States" they mean. Because none of the state election laws define the term, then the legal dictionary definition applies.

10.7 Legal definition of "citizen"

We looked in Black's Law Dictionary, Sixth Edition and found no definition for either "U.S. citizen" or "citizen of the United States". Therefore, we must rely *only* on the common definition rather than any legal definition. We then looked for "U.S. citizen" or "citizen of the United States" in Webster's Dictionary and they weren't defined there either. Then we looked for the term "citizen" and found the following interesting definition in Webster's:

> *"**citizen**. **1:** an inhabitant of a city or town; esp: one entitled to the rights and privileges of a freeman. **2 a:** a member of a state **b: a native or naturalized person who owes allegiance to a government** and is entitled to protection from it **3:** a civilian as distinguished from a specialized servant of the state—citizenry*
>
> ***syn** CITIZEN, SUBJECT, NATIONAL mean a person owing allegiance to and entitled to the protection of a sovereign state. **CITIZEN is preferred for one owing allegiance to a state in which sovereign power is retained by the people and sharing in the political rights of those people**; SUBJECT implies allegiance to a personal sovereign such as a monarch; NATIONAL designates one who may claim the protection of a state and applies esp. to one living or traveling outside that state."*
> *[Webster's Ninth New Collegiate Dictionary, 1983, ISBN 0-87779-510-X, p. 243]*

Note in the above that the key to being a citizen under definition (b) is the requirement for allegiance. The only federal citizenship status that uses the term "allegiance" is that of a "national" as defined in 8 U.S.C. §1101(a)(21) and 8 U.S.C. §1101(a)(22)(B) respectively. Consequently, we are *forced* to conclude that the generic term "citizen" and the statutory definition of "national" in 8 U.S.C. §1101(a)(22) are equivalent.

We also looked up the term "citizen" in Black's Law Dictionary, Sixth Edition and found the following:

> ***"citizen.** One who, under the Constitution and laws of the United States[***], or of a particular state, is a member of the political community, **owing allegiance and being entitled to the enjoyment of full civil rights**. All persons born or naturalized in the United States[***], and subject to the jurisdiction thereof, are citizens of the United States[***] and of the state wherein they reside. U.S. Const., 14th Amend. See Citizenship.*
>
> *"Citizens" are members of a political community who, in their associated capacity, have established or submitted themselves to the dominion of a government for the promotion of their general welfare and the protection of their individual as well as collective rights. Herriott v. City of Seattle, 81 Wash.2d. 48, 500 P.2d. 101, 109.*
>
> *The term may include or apply to children of alien parents from in United States[***], Von Schwerdtner v. Piper, D.C.Md., 23 F.2d. 862, 863; U.S. v. Minoru Yasui, D.C.Or., 48 F.Supp. 40, 54; children of American citizens born outside United States, Haaland v. Attorney General of United States, D.C.Md., 42 F.Supp. 13, 22; Indians, United States v. Hester, C.C.A.Okl., 137 F.2d. 145, 147; National Banks, American Surety Co. v. Bank of California, C.C.A.Or., 133 F.2d. 160, 162; nonresident who has qualified as administratrix of estate of*

*deceased resident, Hunt v. Noll, C.C.A.Tenn., 112 F.2d. 288, 289. However, neither the United States[**] nor a state is a citizen for purposes of diversity jurisdiction. Jizemerjian v. Dept of Air Force, 457 F.Supp. 820. On the other hand, municipalities and other local governments are deemed to be citizens. Rieser v. District of Columbia, 563 F.2d. 462. A corporation is not a citizen for purposes of privileges and immunities clause of the Fourteenth Amendment. D.D.B. Realty Corp. v. Merrill, 232 F.Supp. 629, 637.*

*Under diversity statute [28 U.S.C. §1332], which mirrors U.S. Const, Article III's diversity clause, a person is a "citizen of a state" if he or she is a citizen of the United States[***] and a domiciliary of a state of the United States[***]. Gibbons v. Udaras na Gaeltachta, D.C.N.Y., 549 F.Supp. 1094, 1116.*
[Black's Law Dictionary, Sixth Edition, p. 244]

So the key requirement to be a "citizen" is to "owe allegiance" to a political community according to Black's Law Dictionary. Under 26 U.S.C. §1101(a)(21) and 26 U.S.C. §1101(a)(22)(B), one can "owe allegiance" to the "United States***" as a political community ***only*** by being a "national" ***without*** being a "U.S.** citizen" or a "citizen of the United States**" as defined in 8 U.S.C. §1401. Therefore, we must conclude once again, that "citizen of the United States**" status under federal statutes, is a political ***privilege*** that few people are born into and most acquire by mistake or fraud or both. Most of us are "nationals" by birth and we ***volunteer*** to become "citizens of the United States**" under 8 U.S.C. §1401 by lying at worst or committing a mistake at best when we fill out government forms. That process of misrepresenting our citizenship status is how we "volunteer" to become "U.S. citizens" subject to federal statutes, and of course our covetous government is more than willing to overlook the mistake because that is how they manufacture "taxpayers" and make people "subject" to their corrupt laws. Remember, however, what the term "subject" means from Webster's above under the definition of the term "citizen":

*"SUBJECT implies allegiance to a personal [earthly] sovereign such as a **monarch**;"*
[Webster's Ninth New Collegiate Dictionary, 1983, ISBN 0-87779-510-X, p. 243]

Therefore, to be "subject" to the federal government's legislation and statutes and "Acts of Congress" is to be *subservient* to them, which means that you voluntarily gave up your sovereignty and recognized that they have now become your "monarch" and you are their "servant". You have turned the Natural Order and hierarchy of sovereignty described in section 4.1 of the *Great IRS Hoax*, Form #11.302 upside down and made yourself into a *voluntary slave*, which violates of the Thirteenth Amendment if your consent in so doing was not fully informed and the government didn't apprise you of the rights that you were voluntarily giving up by becoming a "citizen of the United States**".

"Waivers of Constitutional rights not only must be voluntary, but must be knowing, intelligent acts done with sufficient awareness of the relevant circumstances and likely consequences."
[Brady v. U.S., 397 U.S. 742 (1970)]

11. CITIZENSHIP, DOMICILE, AND TAX STATUS OPTIONS SUMMARY

"Dolosus versatur generalibus. **A deceiver deals in generals.** *2 Co. 34."*

"Fraus latet in generalibus. **Fraud lies hid in general expressions.***"*

Generale nihil certum implicat. **A general expression implies nothing certain.** *2 Co. 34.*

Ubi quid generaliter conceditur, in est haec exceptio, si non aliquid sit contra jus fasque. **Where a thing is concealed generally, this exception arises, that there shall be nothing contrary to law and right.** *10 Co. 78.* *[*Bouvier's Maxims of Law, 1856*]*

Pictures really are worth a THOUSAND words. There is no better place we know of to use a picture to describe relationship than in the context of citizenship, domicile, and residency. Below are tables summarizing citizenship status v. Tax status. After that, we show a graphical diagram that makes the relationships perfectly clear. Finally, after the graphical diagram, we present a text summary for all the legal rules that govern transitioning between the various citizenship and domicile conditions described. If you want a terse handout for convenient use at depositions and to attach to government forms which contains the information in this section, see:

Citizenship, Domicile, and Tax Status Options, Form #10.003
http://sedm.org/Forms/FormIndex.htm

11.1 The Four "United States"

It is very important to understand that there are THREE separate and distinct CONTEXTS in which the term "United States" can be used, and each has a mutually exclusive and different meaning. These three definitions of "United States" were described by the U.S. Supreme Court in Hooven and Allison v. Evatt, 324 U.S. 652 (1945):

Table 11: Geographical terms used throughout this page

Term	*# in diagrams*	*Meaning*
United States*	1	The country "United States" in the family of nations throughout the world.
United States**	2	The "federal zone".
United States***	3	Collective states of the Union mentioned throughout the Constitution.

In addition to the above GEOGRAPHICAL context, there is also a legal, non-geographical context in which the term "United States" can be used, which is the GOVERNMENT as a legal entity. Throughout this page and this website, we identify THIS context as "United States****" or "United States[4]". The only types of "persons" within THIS context are public offices within in the national and not state government. It is THIS context in which "sources within the United States" is used for the purposes of "income" and "gross income" within the Internal Revenue Code, as proven by:

Nonresident Alien Position, Form #05.020, Sections 6 and 7
DIRECT LINK: http://sedm.org/Forms/05-MemLaw/NonresidentAlienPosition.pdf
FORMS PAGE: http://sedm.org/Forms/FormIndex.htm

The reason these contexts are not expressly distinguished in the statutes by the Legislative Branch or on government forms crafted by the Executive Branch is that they are the KEY mechanism by which:

1. Federal jurisdiction is unlawfully enlarged by abusing presumption, which is a violation of due process of law. See:
 Presumption: Chief Weapon for Unlawfully Enlarging Federal Jurisdiction, Form #05.017
 DIRECT LINK: http://sedm.org/Forms/05-MemLaw/Presumption.pdf
 FORMS PAGE: http://sedm.org/Forms/FormIndex.htm
2. The separation of powers between the states and the national government is destroyed, in violation of the legislative intent of the Constitution. See:

Government Conspiracy to Destroy the Separation of Powers, Form #05.023
DIRECT LINK: http://sedm.org/Forms/05-MemLaw/SeparationOfPowers.pdf
FORMS PAGE: http://sedm.org/Forms/FormIndex.htm

3. A "society of law" is transformed into a "society of men" in violation of Marbury v. Madison, 5 U.S. 137 (1803):

> *"The government of the United States has been emphatically termed a government of laws, and not of men. It will certainly cease to deserve this high appellation, if the laws furnish no remedy for the violation of a vested legal right."*
> *[*Marbury v. Madison, 5 U.S. 137, 163 (1803)*]*

4. Exclusively PRIVATE rights are transformed into public rights in a process we call "invisible eminent domain using presumption and words of art".
5. Judges are unconstitutionally delegated undue discretion and "arbitrary power" to unlawfully enlarge federal jurisdiction. See:

Federal Jurisdiction, Form #05.018
DIRECT LINK: http://sedm.org/Forms/05-MemLaw/FederalJurisdiction.pdf
FORMS PAGE: http://sedm.org/Forms/FormIndex.htm

The way a corrupted Executive Branch or judge accomplish the above is to unconstitutionally:

1. PRESUME that ALL of the four contexts for "United States" are equivalent.
2. PRESUME that CONSTITUTIONAL citizens and STATUTORY citizens are EQUIVALENT under federal law. They are NOT. A CONSTITUTIONAL citizen is a "non-citizen national" under federal law and NOT a "citizen of the United States".

Why You are a "national", "state national", and Constitutional but not Statutory Citizen, Form #05.006
DIRECT LINK: http://sedm.org/Forms/05-MemLaw/WhyANational.pdf
FORMS PAGE: http://sedm.org/Forms/FormIndex.htm

3. PRESUME that "nationality" and "domicile" are equivalent. They are NOT. See:

Why Domicile and Becoming a "Taxpayer" Require Your Consent, Form #05.002
DIRECT LINK: http://sedm.org/Forms/05-MemLaw/Domicile.pdf
FORMS PAGE: http://sedm.org/Forms/FormIndex.htm

4. Use the word "citizenship" in place of "nationality" OR "domicile", and refuse to disclose WHICH of the two they mean in EVERY context.
5. Confuse the POLITICAL/CONSTITUTIONAL meaning of words with the civil STATUTORY context. For instance, asking on government forms whether you are a POLITICAL/CONSTITUTIONAL citizen and then FALSELY PRESUMING that you are a STATUTORY citizen under 8 U.S.C. §1401.
6. Confuse the words "domicile" and "residence" or impute either to you without satisfying the burden of proving that you EXPRESSLY CONSENTED to it and thereby illegally kidnap your civil legal identity against your will. One can have only one "domicile" but many "residences" and BOTH require your consent. See:

Why Domicile and Becoming a "Taxpayer" Require Your Consent, Form #05.002
DIRECT LINK: http://sedm.org/Forms/05-MemLaw/Domicile.pdf
FORMS PAGE: http://sedm.org/Forms/FormIndex.htm

7. Add things or classes of things to the meaning of statutory terms that do not EXPRESSLY appear in their definitions, in violation of the rules of statutory construction. See:

Meaning of the Words "includes" and "including", Form #05.014
DIRECT LINK: http://sedm.org/Forms/05-MemLaw/Includes.pdf
FORMS PAGE: http://sedm.org/Forms/FormIndex.htm

8. Refuse to allow the jury to read the definitions in the law and then give them a definition that is in conflict with the statutory definition. This substitutes the JUDGES will for what the law expressly says and thereby substitutes PUBLIC POLICY for the written law.
9. Publish deceptive government publications that are in deliberate conflict with what the statutes define "United States" as and then tell the public that they CANNOT rely on the publication. The IRS does this with ALL of their publications and it is FRAUD. See:

Reasonable Belief About Income Tax Liability, Form #05.007
DIRECT LINK: http://sedm.org/Forms/05-MemLaw/ReasonableBelief.pdf
FORMS PAGE: http://sedm.org/Forms/FormIndex.htm

This kind of arbitrary discretion is PROHIBITED by the Constitution, as held by the U.S. Supreme Court:

> *'When we consider the nature and the theory of our institutions of government, the principles upon which they are supposed to rest, and review the history of their development, **we are constrained to conclude that they do not mean to leave room for the play and action of purely personal and arbitrary power.**'*
> *[Yick Wo v. Hopkins, 118 U.S. 356, 369 , 6 S.Sup.Ct. 1064, 1071]*

Thomas Jefferson, our most revered founding father, precisely predicted the above abuses when he said:

> *"It has long been my opinion, and I have never shrunk from its expression,... that the germ of dissolution of our Federal Government is in the constitution of the Federal Judiciary--an irresponsible body (for impeachment is scarcely a scare-crow), **working like gravity by night and by day, gaining a little today and a little tomorrow, and advancing its noiseless step like a thief over the field of jurisdiction until all shall be usurped from the States and the government be consolidated into one. To this I am opposed.**"*
> *[Thomas Jefferson to Charles Hammond, 1821. ME 15:331]*

> *"Contrary to all correct example, [the Federal judiciary] are in the habit of going out of the question before them, to throw an anchor ahead and grapple further hold for future advances of power. **They are then in fact the corps of sappers and miners, steadily working to undermine the independent rights of the States and to consolidate all power in the hands of that government in which they have so important a freehold estate.**"*
> *[Thomas Jefferson: Autobiography, 1821. ME 1:121]*

> *"The judiciary of the United States is the subtle corps of sappers and miners constantly working under ground to undermine the foundations of our confederated fabric. They are construing our Constitution from a co-ordination of a general and special government to a general and supreme one alone. **This will lay all things at their feet, and they are too well versed in English law to forget the maxim, 'boni judicis est ampliare jurisdictionem.**'"*
> *[Thomas Jefferson to Thomas Ritchie, 1820. ME 15:297]*

> *"**When all government, domestic and foreign, in little as in great things, shall be drawn to Washington as the center of all power, it will render powerless the checks provided of one government on another and will become as venal and oppressive as the government from which we separated.**"*
> *[Thomas Jefferson to Charles Hammond, 1821. ME 15:332]*

> *"What an augmentation of the field for jobbing, speculating, plundering, office-building ["trade or business" scam] and office-hunting would be produced by an assumption [PRESUMPTION] of all the State powers into the hands of the General Government!"*
> *[Thomas Jefferson to Gideon Granger, 1800. ME 10:168]*

11.2 Statutory v. Constitutional contexts

It is very important to understand that there are TWO separate, distinct, and mutually exclusive contexts in which geographical "words of art" can be used at the federal or national level:

1. Statutory.
2. Constitutional.

The purpose of providing a statutory definition of a legal "term" is to supersede and not enlarge the ordinary, common law, constitutional, or common meaning of a term. Geographical words of art include:

1. "State"
2. "United States"
3. "alien"
4. "citizen"
5. "resident"
6. "U.S. person"

The terms "State" and "United States" within the Constitution implies the constitutional states of the Union and excludes federal territory, statutory "States" (federal territories), or the statutory "United States" (the collection of all federal territory). This is an outcome of the separation of powers doctrine. See:

The U.S. Constitution creates a public trust which is the delegation of authority order that the U.S. Government uses to manage federal territory and property. That property includes franchises, such as the "trade or business" franchise. All statutory civil law it creates can and does regulate only THAT property and not the constitutional States, which are foreign, sovereign, and statutory "aliens" for the purposes of federal legislative jurisdiction.

It is very important to realize the consequences of this constitutional separation of powers between the states and national government. Some of these consequences include the following:

1. Statutory "States" as indicated in 4 U.S.C. §110(d) and "States" in nearly all federal statutes are in fact federal territories and the definition does NOT include constitutional states of the Union.
2. The statutory "United States" defined in 26 U.S.C. §7701(a)(9) and (a)(10) and 4 U.S.C. §110(d) includes federal territory and excludes any land within the exclusive jurisdiction of a constitutional state of the Union.
3. Terms on government forms assume the statutory context and NOT the constitutional context.
4. Domicile is the origin of civil legislative jurisdiction over human beings. This jurisdiction is called "in personam jurisdiction".
5. Since the separation of powers doctrine creates two separate jurisdictions that are legislatively "foreign" in relation to each other, then there are TWO types of political communities, two types of "citizens", and two types of jurisdictions exercised by the national government.

> *"It is clear that Congress, as a legislative body, exercise two species of legislative power: the one, limited as to its objects, but extending all over the Union: the other, an absolute, exclusive legislative power over the District of Columbia. The preliminary inquiry in the case now before the Court, is, by virtue of which of these authorities was the law in question passed?"*
> *[Cohens v. Virginia, 19 U.S. 264, 6 Wheat. 265, 5 L.Ed. 257 (1821)]*

6. A human being domiciled in a Constitutional state and born or naturalized anywhere in the Union is a statutory "alien" in relation to the national government and a non-citizen national pursuant to 8 U.S.C. §1101(a)(21).
7. You can be a statutory "alien" pursuant to 26 C.F.R. §1.1441-1(c)(3)(i) and a constitutional or Fourteenth Amendment "Citizen" AT THE SAME TIME. Why? Because the Supreme Court ruled in Hooven and Allison v. Evatt, 324 U.S. 652 (1945), that there are THREE different and mutually exclusive "United States", and therefore THREE types of "citizens of the United States". Here is an example:

> *"The 1st section of the 14th article [Fourteenth Amendment], to which our attention is more specifically invited, opens with a definition of citizenship—not only citizenship of the United States[***], but citizenship of the states.* ***No such definition was previously found in the Constitution, nor had any attempt been made to define it by act of Congress.*** *It had been the occasion of much discussion in the courts, by the executive departments and in the public journals.* ***It had been said by eminent judges that no man was a citizen of the [***] except as he was a citizen of one of the states composing the Union. Those therefore, who had been born and resided always in the District of Columbia or in the territories [STATUTORY citizens], though within the United States[*], were not [CONSTITUTIONAL] citizens****."*
> *[Slaughter-House Cases, 83 U.S. (16 Wall.) 36, 21 L.Ed. 394 (1873)]*

The "citizen of the United States" mentioned in the Fourteenth Amendment is a constitutional "citizen of the United States", and the term "United States" in that context includes states of the Union and excludes federal territory. Hence, you would NOT be a "citizen of the United States" within any federal statute, because all such statutes define "United States" to mean federal territory and EXCLUDE states of the Union. For more details, see:

Why You are a "national", "state national", and Constitutional but not Statutory Citizen, Form #05.006
http://sedm.org/Forms/FormIndex.htm

8. Your job, if you say you are a "citizen of the United States" or "U.S. citizen" on a government form (a VERY DANGEROUS undertaking!) is to understand that all government forms presume the statutory and not constitutional context, and to ensure that you define precisely WHICH one of the three "United States" you are a "citizen" of, and do so in a way that excludes you from the civil jurisdiction of the national government because domiciled in a "foreign state". Both foreign countries and states of the Union are legislatively "foreign" and therefore "foreign states" in relation to the national government of the United States. The following form does that very carefully:

Affidavit of Citizenship, Domicile, and Tax Status, Form #02.001
http://sedm.org/Forms/FormIndex.htm

9. Even the IRS says you CANNOT trust or rely on ANYTHING on any of their forms and publications. We cover this in our Reasonable Belief About Income Tax Liability, Form #05.007. Hence, if you are compelled to fill out a

government form, you have an OBLIGATION to ensure that you define all "words of art" used on the form in such a way that there is no room for presumption, no judicial or government discretion to "interpret" the form to their benefit, and no injury to your rights or status by filling out the government form. This includes attaching the following forms to all tax forms you submit:

9.1. *Affidavit of Citizenship, Domicile, and Tax Status*, Form #02.001
http://sedm.org/Forms/FormIndex.htm

9.2. *Tax Form Attachment*, Form #04.201
http://sedm.org/Forms/FormIndex.htm

We started off section 11 of this document with maxims of law proving that "a deceiver deals in generals". Anyone who refuses to identify the precise context, statutory or constitutional, for EVERY "term of art" they are using in the legal field ABSOLUTELY IS A DECEIVER.

11.3 Statutory v. Constitutional Citizens

> *"When words lose their meaning [or their CONTEXT WHICH ESTABLISHES THEIR MEANING], people lose their freedom."*
> *[Confucius (551 BCE - 479 BCE) Chinese thinker and social philosopher]*

Statutory citizenship is a legal status that designates a person's domicile while constitutional citizenship is a political status that designates a person's nationality. Understanding the distinction between nationality and domicile is absolutely critical.

3. Nationality:
 3.1. Is not necessarily consensual or discretionary. For instance, acquiring nationality by birth in a specific place was not a matter of choice whereas acquiring it by naturalization is.
 3.2. Is a political status.
 3.3. Is defined by the Constitution, which is a political document.
 3.4. Is synonymous with being a "national" within statutory law.
 3.5. Is associated with a specific COUNTRY.
 3.6. Is called a "political citizen" or a "citizen of the United States in a political sense" by the courts to distinguish it from a STATUTORY citizen. See Powe v. United States, 109 F.2d 147 (1940).
4. Domicile:
 4.1. Always requires your consent and therefore is discretionary. See:
 Why Domicile and Becoming a "Taxpayer" Require Your Consent, Form #05.002
 http://sedm.org/Forms/FormIndex.htm
 4.2. Is a civil status.
 4.3. Is not even addressed in the constitution.
 4.4. Is defined by civil statutory law RATHER than the constitution.
 4.5. Is in NO WAY connected with one's nationality.
 4.6. Is usually connected with the word "person", "citizen", "resident", or "inhabitant" in statutory law.
 4.7. Is associated with a specific COUNTY and a STATE rather than a COUNTRY.
 4.8. Implies one is a "SUBJECT" of a SPECIFIC MUNICIPAL but not NATIONAL government.

Nationality and domicile, TOGETHER determine the political/CONSTITUTIONAL AND civil/STATUTORY status of a human being respectively. These important distinctions are recognized in Black's Law Dictionary:

> ***"nationality** – That quality or character which arises from the fact of a person's belonging to a nation or state. **Nationality determines the political status** of the individual, especially with reference to allegiance; while **domicile determines his civil [statutory] status**. Nationality arises either by birth or by naturalization."*
> *[Black's Law Dictionary (6th ed. 1990), p. 1025]*

The U.S. Supreme Court also confirmed the above when they held the following. Note the key phrase "political jurisdiction", which is NOT the same as legislative/statutory jurisdiction. One can have a political status of "citizen" under the constitution while NOT being a "citizen" under federal statutory law because not domiciled on federal territory. To have the status of "citizen" under federal statutory law, one must have a domicile on federal territory:

> *"This section contemplates two sources of citizenship, and two sources only,-birth and naturalization. The persons declared to be citizens are 'all persons born or naturalized in the United States, and **subject to the jurisdiction thereof.**' The evident meaning of these last words is, not merely subject in some respect or degree*

> *to the jurisdiction of the United States, **but completely subject to their [plural, not singular, meaning states of the Union] political jurisdiction, and owing them [the state of the Union] direct and immediate allegiance**. And the words relate to the time of birth in the one case, as they do [169 U.S. 649, 725] to the time of naturalization in the other. Persons not thus subject to the jurisdiction of the United States at the time of birth cannot become so afterwards, except by being naturalized, either individually, as by proceedings under the naturalization acts, or collectively, as by the force of a treaty by which foreign territory is acquired."*
> *[U.S. v. Wong Kim Ark, 169 U.S. 649, 18 S.Ct. 456; 42 L.Ed. 890 (1898)]*

> *"This right to protect persons having a domicile, though not native-born or naturalized citizens, rests on the firm foundation of justice, and the **claim to be protected** is earned by considerations which the protecting power is not at liberty to disregard. Such domiciled citizen pays the same price for his protection as native-born or naturalized citizens pay for theirs. **He is under the bonds of allegiance to the country of his residence, and, if he breaks them, incurs the same penalties. He owes the same obedience to the civil laws.** His property is, in the same way and to the same extent as theirs, liable to contribute to the support of the Government. In nearly all respects, his and their condition as to the duties and burdens of Government are undistinguishable."*
> *[Fong Yue Ting v. United States, 149 U.S. 698 (1893)]*

Notice in the last quote above that they referred to a foreign national born in another country as a "citizen". THIS is the REAL "citizen" (a domiciled foreign national) that judges and even tax withholding documents are really talking about, rather than the "national" described in the constitution.

Domicile and NOT nationality is what imputes a status under the tax code and a liability for tax. Tax liability is a civil liability that attaches to civil statutory law, which in turn attaches to the person through their choice of domicile. When you CHOOSE a domicile, you elect or nominate a protector, which in turn gives rise to an obligation to pay for the civil protection demanded. The method of providing that protection is the civil laws of the municipal (as in COUNTY) jurisdiction that you chose a domicile within.

> *"domicile. A person's legal home. That place where a man has his true, fixed, and **permanent home** and principal establishment, and to which whenever he is absent he has **the intention of** returning. Smith v. Smith, 206 Pa.Super. 310, 213 A.2d. 94. Generally, physical presence within a state and **the intention** to make it one's home are the requisites of establishing a "domicile" therein. The permanent residence of a person or the place to which he **intends to** return even though he may actually reside elsewhere. A person may have more than one residence but only one domicile. **The legal domicile of a person is important since it, rather than the actual residence, often controls the jurisdiction of the taxing authorities and determines where a person may exercise the privilege of voting and other legal rights and privileges."***
> *[Black's Law Dictionary, Sixth Edition, p. 485]*

Later versions of Black's Law Dictionary attempt to cloud this important distinction between nationality and domicile in order to unlawfully and unconstitutionally expand federal power into the states of the Union and to give federal judges unnecessary and unwarranted discretion to kidnap people into their jurisdiction using false presumptions. They do this by trying to make you believe that domicile and nationality are equivalent, when they are EMPHATICALLY NOT. Here is an example:

> ***"nationality** – The relationship between a citizen of a nation and the nation itself, customarily involving allegiance by the citizen and protection by the state; membership in a nation. **This term is often used synonymously with citizenship**. "*
> *[Black's Law Dictionary (8th ed. 2004)]*

We establish later in section 10 that federal courts regard the term "citizenship" as equivalent to domicile, meaning domicile on federal territory.

> ***"The words "citizen" and citizenship," however, usually include the idea of domicile, Delaware, L. & W.R.Co. v. Petrowsky, C.C.A.N.Y., 250 F. 554, 557;"***
> *[Black's Law Dictionary, Fourth Edition, p. 310]*

Hence:

4. The term "citizenship" is being stealthily used by government officials as a magic word that allows them to hide their presumptions about your status. Sometimes they use it to mean NATIONALITY, and sometimes they use it to mean DOMICILE.
5. The use of the word "citizenship" should therefore be AVOIDED when dealing with the government because its meaning is unclear and leaves too much discretion to judges and prosecutors.
6. When someone from any government uses the word "citizenship", you should:

6.1. Tell them NOT to use the word, and instead to use “nationality” or “domicile”.
6.2. Ask them whether they mean “nationality” or “domicile”.
6.3. Ask them WHICH political subdivision they imply a domicile within: federal territory or a constitutional state of the Union.

A failure to either understand or apply the above concepts can literally mean the difference between being a government pet in a legal cage called a franchise, and being a free and sovereign man or woman.

11.4 Citizenship Status v. Tax Status

Table 12: "Citizenship status" vs. "Income tax status"

#	Citizenship status	Place of birth	Domicile	Accepting tax treaty benefits?	Defined in	Tax Status under 26 U.S.C./Internal Revenue Code			
						"Citizen" (defined in 26 C.F.R.1.1-1)	*"Resident alien"* (defined in 26 U.S.C. §7701(b)(1)(A), 26 C.F.R.§1.1441-1(c)(3)(i) and 26 C.F.R.§1.1-1(a)(2)(ii))	*"Nonresident alien INDIVIDUAL"* (defined in 26 C.F.R.§1.1441-1(c)(3))	*"Nonresident alien NON-individual"* (defined in 26 U.S.C. §7701(b)(1)(B))
1	"U.S. citizen" or "Statutory U.S. citizen"	Statutory "United States" pursuant to 8 U.S.C. §1101(a)(38), (a)(36) and 8 C.F.R. §215.1(f) or in the "outlying possessions of the United States" pursuant to 8 U.S.C. §1101(a)(29)	District of Columbia, Puerto Rico, Guam, Virgin Islands	NA	8 U.S.C. §1401; 8 U.S.C. §1101(a)(22)(A)	Yes (only pay income tax abroad with IRS Forms 1040/2555. See Cook v. Tait, 265 U.S. 47 (1924))	No	No	No
2	"U.S. national"	Statutory "United States" pursuant to 8 U.S.C. §1101(a)(38), (a)(36) and 8 C.F.R. §215.1(f) or in the "outlying possessions of the United States" pursuant to 8 U.S.C. §1101(a)(29)	American Samoa; Swain's Island; or abroad to U.S. national parents under 8 U.S.C. §1408(2)	NA	8 U.S.C. §1408 8 U.S.C. §1101(a)(22)(B); 8 U.S.C. §1452	No (see 26 U.S.C. §7701(b)(1)(B))	No	Yes (see IRS Form 1040NR for proof)	No
3.1	"U.S.A. "national" or "state national" or "Constitutional but not statutory U.S. citizen"	Constitutional Union state	State of the Union	NA (ACTA agreement)	8 U.S.C. §1101(a)(21); 14th Amend. Sect.1	No	No	No	Yes
3.2	"U.S.A. "national" or "state national" or "Constitutional but not statutory citizen"	Constitutional Union state	Foreign country	Yes	8 U.S.C. §1101(a)(21); 14th Amend. Sect.1	No	No	Yes	No
3.3	"U.S.A. national" or "state national" or "Constitutional but not statutory citizen"	Constitutional Union state	Foreign country	No	8 U.S.C. §1101(a)(21); 14th Amend. Sect.1	No	No	No	Yes
3.4	"U.S.A. national" or "state national" or "Constitutional but not statutory citizen"	Constitutional Union state	Puerto Rico, Guam, Virgin Islands, Commonwealth of Northern Mariana Islands	NA (ACTA agreement)	8 U.S.C. §1101(a)(3); 8 U.S.C. §1101(a)(21); 14th Amend. Sect.1	No	Yes	No	No

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#	Citizenship status	Place of birth	Domicile	Accepting tax treaty benefits?	Defined in	Tax Status under 26 U.S.C./Internal Revenue Code			
						"Citizen" *(defined in 26 C.F.R.1.1-1)*	***"Resident alien"*** (defined in 26 U.S.C. §7701(b)(1)(A), 26 C.F.R.§1.1441-1(c)(3)(i) and 26 C.F.R.§1.1-1(a)(2)(ii))	***"Nonresident alien INDIVIDUAL"*** (defined in 26 C.F.R.§1.1441-1(c)(3))	***"Nonresident alien NON-individual"*** (defined in 26 U.S.C. §7701(b)(1)(B))
4.1	"alien" or "Foreign national"	Foreign country	Puerto Rico, Guam, Virgin Islands, Commonwealth of Northern Mariana Islands	NA	8 U.S.C. §1101(a)(21); 8 U.S.C. §1101(a)(3)	No	Yes	No	No
4.2	"alien" or "Foreign national"	Foreign country	State of the Union	Yes	8 U.S.C. §1101(a)(21)	No	No	Yes	No
4.3	"alien" or "Foreign national"	Foreign country	State of the Union	No	8 U.S.C. §1101(a)(21)	No	No	No	Yes
4.4	"alien" or "Foreign national"	Foreign country	Foreign country	Yes	8 U.S.C. §1101(a)(21)	No	No	Yes	No
4.5	"alien" or "Foreign national"	Foreign country	Foreign country	No	8 U.S.C. §1101(a)(21)	No	No	No	Yes

NOTES:

1. Domicile is a prerequisite to having any civil status per Federal Rule of Civil Procedure 17. One therefore cannot be a statutory "alien" under 8 U.S.C. §1101(a)(3) without a domicile on federal territory. Without such a domicile, you are a transient foreigner and neither an "alien" nor a "nonresident alien".
2. ”United States” is described in 8 U.S.C. §1101(a)(38), (a)(36) and 8 C.F.R. §215.1(f) and includes only federal territory and possessions and excludes all Constitutional Union states. This is a product of the separation of powers doctrine that is the heart of the United States Constitution.
3. A “nonresident alien individual” who has made an election under 26 U.S.C. §6013(g) and (h) to be treated as a “resident alien” is treated as a “nonresident alien” for the purposes of withholding under I.R.C. Subtitle C but retains their status as a “resident alien” under I.R.C. Subtitle A. See 26 C.F.R. §1.1441-1(c)(3)(ii).
4. A "non-individual" is really just a transient foreigner who is not "purposefully availing themselves" of commerce within the legislative jurisdiction of the United States on federal territory under the Foreign Sovereign Immunities Act (F.S.I.A.), 28 U.S.C. Chapter 97. The real transition from a "NON-individual" to an "individual" occurs when one:
 - 4.1. "Purposefully avails themself" of commerce on federal territory and thus waives sovereign immunity. Examples of such purposeful availment are the next three items.
 - 4.2. Lawfully and consensually occupying a public office in the U.S. government and thereby being an “officer and individual” as identified in 5 U.S.C. §2105(a). Otherwise, you are PRIVATE and therefore beyond the civil legislative jurisdiction of the national government.
 - 4.3. Voluntarily files an IRS Form 1040 as a citizen or resident abroad and takes the foreign tax deduction under 26 U.S.C. §911. This too is essentially an act of "purposeful availment". Nonresidents are not mentioned in section 911. The upper left corner of the form identifies the filer as a “U.S. individual”. You cannot be an “U.S. individual” without ALSO being an “individual”. All the "trade or business" deductions on the form presume the applicant is a public officer, and therefore the "individual" on the form is REALLY a public officer in the government and would be committing FRAUD if he or she was NOT.
 - 4.4. VOLUNTARILY fills out an IRS Form W-7 ITIN Application (IRS identifies the applicant as an "individual") AND only uses the assigned number in connection with their compensation as an elected or appointed public officer. Using it in connection with PRIVATE earnings is FRAUD.
5. What turns a “nonresident alien NON-individual” into a “nonresident alien individual” is meeting one or more of the following two criteria found in 26 C.F.R. §1.1441-1(c)(3)(ii):
 - 5.1. Residence/domicile in a foreign country under the residence article of an income tax treaty and 26 C.F.R. §301.7701(b)-7(a)(1).
 - 5.2. Residence/domicile as an alien in Puerto Rico, Guam, the Commonwealth of Northern Mariana Islands, the U.S. Virgin Islands, or American Samoa as determined under 26 C.F.R. §301.7701(b)-1(d).
6. All “taxpayers” are STATUTORY “aliens” or “nonresident aliens”. The definition of “individual” found in 26 C.F.R. §1.1441-1(c)(3) does NOT include “citizens”. The only occasion where a “citizen” can also be an “individual” is when they are abroad under 26 U.S.C. §911 and interface to the I.R.C. under a tax treaty with a foreign country as an alien pursuant to 26 C.F.R. §301.7701(b)-7(a)(1)

> *And when he had come into the house, Jesus anticipated him, saying, "What do you think, Simon? From whom do the kings [governments] of the earth [lawfully] take customs or taxes, from their sons [citizens and subjects] or from strangers ["aliens", which are synonymous with "residents" in the tax code, and exclude "citizens"]?"*

> *Peter said to Him, "From strangers ["aliens"/"residents" ONLY. See 26 C.F.R. §1.1-1(a)(2)(ii) and 26 C.F.R. §301.6109-1(d)(3)]."*

> *Jesus said to him, "Then the sons ["citizens" of the Republic, who are all sovereign "nationals" and "nonresident aliens" under federal law] are free [sovereign over their own person and labor. e.g. SOVEREIGN IMMUNITY]. "*
> *[Matt. 17:24-27, Bible, NKJV]*

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11.5 Effect of Domicile on Citizenship Status

Table 13: Effect of domicile on citizenship status

	CONDITION		
Description	**Domicile WITHIN the FEDERAL ZONE and located in FEDERAL ZONE**	**Domicile WITHIN the FEDERAL ZONE and temporarily located abroad in foreign country**	**Domicile WITHOUT the FEDERAL ZONE and located WITHOUT the FEDERAL ZONE**
Location of domicile	"United States" per 26 U.S.C. §§7701(a)(9) and (a)(10), 7701(a)(39), 7408(d)	"United States" per 26 U.S.C. §§7701(a)(9) and (a)(10), 7701(a)(39), 7408(d)	Without the "United States" per 26 U.S.C. §§7701(a)(9) and (a)(10), 7701(a)(39), 7408(d)
Physical location	Federal territories, possessions, and the District of Columbia	Foreign nations ONLY (NOT states of the Union)	Foreign nations states of the Union Federal possessions
Tax Status	"U.S. Person" 26 U.S.C. §7701(a)(30)	"U.S. Person" 26 U.S.C. §7701(a)(30)	"Nonresident alien" 26 U.S.C. §7701(b)(1)(B)
Tax form(s) to file	IRS Form 1040	IRS Form 1040 plus 2555	IRS Form 1040NR: "alien individuals", "nonresident alien individuals" No filing requirement: "nonresident alien NON-individual"
Status if "national of the United States**" per 8 U.S.C. §1101(a)(22)	Citizen 8 U.S.C. §1401 (Not required to file if physically present in the "United States" because no statute requires it)	Citizen abroad 26 U.S.C. §911 (Meets presence test)	"non-citizen National" 8 U.S.C. §1101(a)(22)(B) 8 U.S.C. §1408 8 U.S.C. §1452
Status if FOREIGN or U.S.A. "national" pursuant to 8 U.S.C. §1101(a)(21)	"Resident alien" 26 U.S.C. §7701(b)(1)(A)	"Resident alien abroad" 26 U.S.C. §911 (Meets presence test)	"Nonresident alien individual" if a public officer in the U.S. government. 26 CFR §1.1441-1(c)(3)(ii) "Nonresident alien NON-individual" if NOT a public officer in the U.S. government

NOTES:

1. "United States" is defined as federal territory within 26 U.S.C. §§7701(a)(9) and (a)(10), 7701(a)(39), and 7408(d), and 4 U.S.C. §110(d). It does not include any portion of a Constitutional state of the Union.
2. The "District of Columbia" is defined as a federal corporation but not a physical place, a "body politic", or a de jure "government" within the District of Columbia Act of 1871, 16 Stat. 419, 426, Sec. 34. See:

 Corporatization and Privatization of the Government, Form #05.024
 http://sedm.org/Forms/FormIndex.htm.
3. "nationals" of the United States of America who are domiciled outside of federal jurisdiction, either in a state of the Union or a foreign country, are "nationals" but not "citizens" under federal law. They also qualify as "nonresident aliens" under 26 U.S.C. §7701(b)(1)(B). See sections 4.11.2 of the *Great IRS Hoax*, Form #11.302 for details.
4. Temporary domicile in the middle column on the right must meet the requirements of the "Presence test" documented in IRS publications.
5. "FEDERAL ZONE"=District of Columbia and territories of the United States in the above table
6. The term "individual" as used on the IRS Form 1040 means an "alien" engaged in a "trade or business". All "taxpayers" are "aliens" engaged in a "trade or business". This is confirmed by 26 C.F.R. §1.1441-1(c)(3), 26 C.F.R. §1.1-1(a)(2)(ii), and 5 U.S.C. §552a(a)(2). Statutory "U.S. citizens" as defined in 8 U.S.C. §1401 are not "individuals" unless temporarily abroad pursuant to 26 U.S.C. §911 and subject to an income tax treaty with a foreign country. In

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that capacity, statutory "U.S. citizens" interface to the I.R.C. as "aliens" rather than "U.S. citizens" through the tax treaty.

11.6 Meaning of Geographical "Words of Art"

Because the states of the Union and the federal government are "foreign" to each other for the purposes of legislative jurisdiction, then it also follows that the definitions of terms in the context of all state and federal statutes must be consistent with this fact. The table below was extracted from the *Great IRS Hoax*, Form #11.302, Section 4.9 if you would like to investigate further, and it clearly shows the restrictions placed upon definitions of terms within the various contexts that they are used within state and federal law:

Table 14: Meaning of geographical "words of art"

Law	**Federal constitution**	**Federal statutes**	**Federal regulations**	**State constitutions**	**State statutes**	**State regulations**
Author	**Union States/ "We The People"**	**Federal Government**		**"We The People"**	**State Government**	
"state"	Foreign country	Union state or foreign country	Union state or foreign country	Other Union state or federal government	Other Union state or federal government	Other Union state or federal government
"State"	Union state	Federal state	Federal state	Union state	Union state	Union state
"in this State" or "in the State"[8]	NA	NA	NA	NA	Federal enclave within state	Federal enclave within state
"State"[9] **(State Revenue and taxation code only)**	NA	NA	NA	NA	Federal enclave within state	Federal enclave within state
"several States"	Union states collectively[10]	Federal "States" collectively	Federal "States" collectively	Federal "States" collectively	Federal "States" collectively	Federal "States" collectively
"United States"	states of the Union collectively	Federal United States**	Federal United States**	United States* the country	Federal United States**	Federal United States**

NOTES:

1. The term "Federal state" or "Federal 'States'" as used above means a federal territory as defined in 4 U.S.C. §110(d) and EXCLUDES states of the Union.
2. The term "Union state" means a "State" mentioned in the United States Constitution, and this term EXCLUDES and is mutually exclusive to a federal "State".
3. If you would like to investigate the various "words of art" that lawyers in the federal government use to deceive you, we recommend the following:
 - 3.1. *Sovereignty Forms and Instructions Online*, Form #10.004, Cites by Topic: http://famguardian.org/TaxFreedom/FormsInstr-Cites.htm
 - 3.2. *Great IRS Hoax*, Form #11.302, sections 3.9.1 through 3.9.1.28.

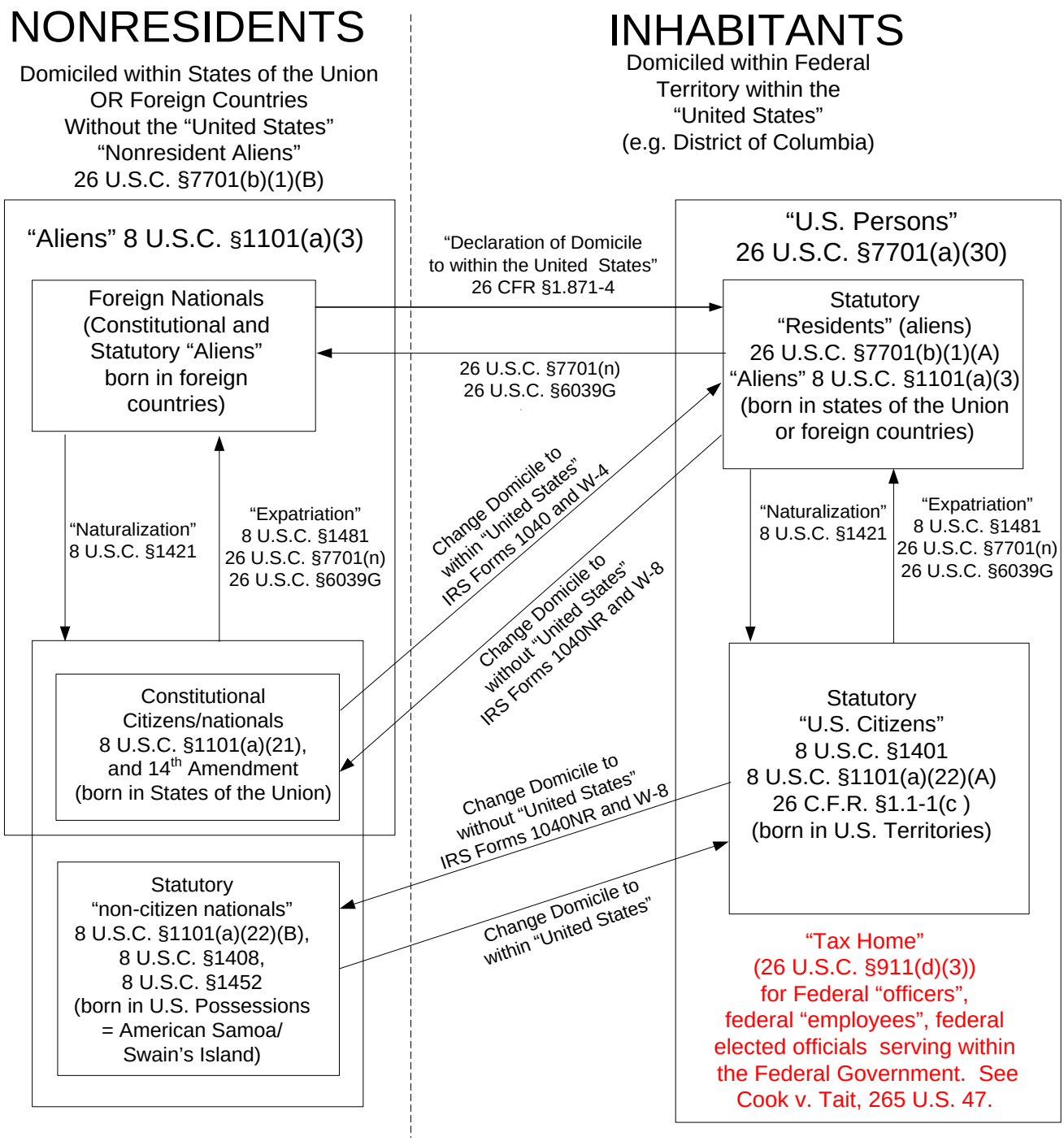
[8] See California Revenue and Taxation Code, section 6017.

[9] See California Revenue and Taxation Code, section 17018.

[10] See, for instance, U.S. Constitution Article IV, Section 2.

11.7 Citizenship and Domicile Options and Relationships

Figure 2: Citizenship and domicile options and relationships



NOTES:

1. Changing domicile from "foreign" on the left to "domestic" on the right can occur EITHER by:
 1.1. Physically moving to the federal zone.
 1.2. Being lawfully elected or appointed to political office, in which case the OFFICE/STATUS has a domicile on federal territory but the OFFICER does not.
2. Statuses on the right are civil franchises granted by Congress. As such, they are public offices within the national government. Those not seeking office should not claim any of these statuses.

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11.8 Statutory Rules for Converting Between Various Domicile and Citizenship Options Under Federal Law

The rules depicted above are also described in text form using the list below, if you would like to investigate the above diagram further:

1. "Aliens" or "alien individuals": Those born in a foreign country and not within any state of the Union or within any federal territory.
 1.1. "Alien" is defined in 8 U.S.C. §1101(a)(3) as a person who is neither a citizen nor a national.
 1.2. "Alien individual" is defined in 26 C.F.R. §1.1441-1(c)(3)(i).
 1.3. An alien is defined in 8 U.S.C. §1101(a)(3) as a person who is neither a statutory "U.S. citizen" per 8 U.S.C. §1401 nor a "national of the United States" per 8 U.S.C. §1101(a)(22)..
 1.4. An alien with no domicile in the "United States" is presumed to be a "nonresident alien" pursuant to 26 C.F.R. §1.871-4(b).
2. "Residents" or "resident aliens": An "alien" or "alien individual" with a legal domicile on federal territory.
 2.1. "Resident aliens" are defined in 26 U.S.C. §7701(b)(1)(A).
 2.2. A "resident alien" is an alien as defined in 8 U.S.C. §1101(a)(3) who has a legal domicile on federal territory that is no part of the exclusive jurisdiction of any state of the Union.
 2.3. An "alien" becomes a "resident alien" by filing IRS Form 1078 pursuant to 26 C.F.R. §1.871-4(c)(ii) and thereby electing to have a domicile on federal territory.
3. "Nonresident aliens": Those with no domicile on federal territory and who are born either in a foreign country, a state of the Union, or within the federal zone.
 3.1. Defined in 26 U.S.C. §7701(b)(1)(B).
 3.2. Also called a "nonresident", "stateless person", or "transient foreigner".
 3.3. A "nonresident alien" is defined as a person who is neither a statutory "citizen" pursuant to 26 C.F.R. §1.1-1(c) nor a statutory "resident" pursuant to 26 U.S.C. §7701(b)(1)(A).
 3.4. A person who is a "non-citizen national" pursuant to 8 U.S.C. §1452 and either 8 U.S.C. §1101(a)(21) or 8 U.S.C. §1101(a)(22)(B) is a "nonresident alien".
4. "Nonresident alien **individuals**": Those who are aliens and who do not have a domicile on federal territory.
 4.1. Defined in 26 C.F.R. §1.1441-1(c)(3)(ii).
 4.2. Status is indicated in block 3 of the IRS Form W-8BEN under the term "Individual".
 4.3. Excludes "non-citizen nationals as defined in 8 U.S.C. §1101(a)(21) and 8 U.S.C. §1452.
 4.4. Excludes those born within the exclusive jurisdiction of states of the Union who are therefore "non-citizen nationals" under federal law.
5. Convertibility between "aliens", "resident aliens", and "nonresident aliens", and "nonresident alien individuals":
 5.1. A "nonresident alien" is not the legal equivalent of an "alien" in law.
 5.2. IRS Form W-8BEN, Block 3 has no block to check for those who are "nonresident aliens" but not "nonresident alien individuals". Thus, the submitter of this form who is a "nonresident alien" and a non-citizen national but not a "nonresident alien individual" is effectively compelled to make an illegal and fraudulent election to become an alien and an "individual" if they do not add a block for "transient foreigner" or "Union State Citizen" to the form. See section 5.3 of the following:

About IRS Form W-8BEN, Form #04.202 http://sedm.org/Forms/FormIndex.htm

 5.3. 26 U.S.C. §6013(g) and (h) and 26 U.S.C. §7701(b)(4)(B) authorize a "nonresident alien" who is married to a statutory "U.S. citizen" as defined in 26 C.F.R. §1.1-1(c) to make an "election" to become a "resident alien".
 5.4. It is unlawful for an unmarried "non-citizen national" pursuant to either 8 U.S.C. §1101(a)(21) or 8 U.S.C. §1101(a)(22)(B) to become a "resident alien". This can only happen by either fraud or mistake.
 5.5. An alien may overcome the presumption that he is a "nonresident alien" and change his status to that of a "resident alien" by filing IRS Form 1078 pursuant to 26 C.F.R. §1.871-4(c)(ii) while he is in the "United States".
 5.6. The term "residence" can only lawfully be used to describe the domicile of an "alien". Nowhere is this term used to describe the domicile of a "non-citizen national" or a "nonresident alien". See 26 C.F.R. §1.871-2.
 5.7. The only way a statutory "alien" under 8 U.S.C. §1101(a)(3) can become both a "non-citizen national" and a "nonresident alien" at the same time is to be naturalized pursuant to 8 U.S.C. §1421 and to have a domicile in either a U.S. possession or a state of the Union.
6. Sources of confusion on these issues:
 6.1. One can be a "nonresident alien" pursuant to 26 U.S.C. §7701(b)(1)(B) *without* being an "individual" or a "nonresident alien individual". An example would be a human being born within the exclusive jurisdiction of a

state of the Union who is therefore a "non-citizen national" or "state national" pursuant to 8 U.S.C. §1101(a)(21) who does not participate in Social Security or use a Taxpayer Identification Number.

6.2. The term "United States" is defined in the Internal Revenue Code at 26 U.S.C. §7701(a)(9) and (a)(10).

6.3. The term "United States" for the purposes of citizenship is defined in 8 U.S.C. §1101(a)(38).

6.4. Any "U.S. Person" as defined in 26 U.S.C. §7701(a)(30) who is not found in the "United States" (District of Columbia pursuant to 26 U.S.C. §7701(a)(9) and (a)(10)) shall be treated as having an effective domicile within the District of Columbia pursuant to 26 U.S.C. §7701(a)(39) and 26 U.S.C. §7408(d) .

6.5. The term "United States" is equivalent for the purposes of statutory "citizens" pursuant to 26 C.F.R. §1.1-1(c) and "citizens" as used in the Internal Revenue Code. See 26 C.F.R. §1.1-1(c).

6.6. The term "United States" as used in the Constitution of the United States is NOT equivalent to the statutory definition of the term used in:

6.6.1. 26 U.S.C. §7701(a)(9) and (a)(10).

6.6.2. 8 U.S.C. §1101(a)(38).

The "United States" as used in the Constitution means the states of the Union and excludes federal territory, while the term "United States" as used in federal statutory law means federal territory and excludes states of the Union.

6.7. A constitutional "citizen of the United States" as mentioned in the Fourteenth Amendment is NOT equivalent to a statutory "national and citizen of the United States" as used in 8 U.S.C. §1401. See:

Why You are a "national", "state national", and Constitutional but not Statutory Citizen, Form #05.006 http://sedm.org/Forms/FormIndex.htm

6.8. In the case of jurisdiction over CONSTITUTIONAL aliens only (meaning foreign NATIONALS), the term "United States" implies all 50 states and the federal zone, and is not restricted only to the federal zone. See:

6.8.1. *Nonresident Alien Position*, Form #05.020
http://sedm.org/Forms/FormIndex.htm

6.8.2. Kleindienst v. Mandel, 408 U.S. 753 (1972)

> *In accord with ancient principles of the international law of nation-states, the Court in The Chinese Exclusion Case, 130 U.S. 581, 609 (1889), and in Fong Yue Ting v. United States, 149 U.S. 698 (1893), held broadly, as the Government describes it, Brief for Appellants 20, that* ***the power to exclude aliens is "inherent in sovereignty, necessary for maintaining normal international relations and defending the country against foreign encroachments and dangers - a power to be exercised exclusively by the political branches of government" Since that time, the Court's general reaffirmations of this principle have [408 U.S. 753, 766] been legion. 6 The Court without exception has sustained Congress' "plenary power to make rules for the admission of aliens and to exclude those who possess those characteristics which Congress has forbidden." Boutilier v. Immigration and Naturalization Service, 387 U.S. 118, 123 (1967). "[O]ver no conceivable subject is the legislative power of Congress more complete than it is over" the admission of aliens. Oceanic Navigation Co. v. Stranahan, 214 U.S. 320, 339 (1909).***
> *[Kleindienst v. Mandel, 408 U.S. 753 (1972)]*

6.8.3. Chae Chan Ping v. U.S., 130 U.S. 581 (1889)

> *While under our constitution and form of government the great mass of local matters is controlled by local authorities,* ***the United States, in their relation to foreign countries and their subjects or citizens, are one nation, invested with powers which belong to independent nations, the exercise of which can be invoked for the maintenance of its absolute independence and security throughout its entire territory.*** *The powers to declare war, make treaties, suppress insurrection, repel invasion, regulate foreign commerce, secure republican governments to the states, and admit subjects of other nations to citizenship, are all sovereign powers, restricted in their exercise only by the constitution itself and considerations of public policy and justice which control, more or less, the conduct of all civilized nations. As said by this court in the case of Cohens v. Virginia, 6 Wheat. 264, 413, speaking by the same great chief justice: '****That the United States form, for many, and for most important purposes, a single nation, has not yet been denied. In war, we are one people. In making peace, we are one people. In all commercial regulations, we are one and the same people. In many other respects, the American people are one; and the government which is alone capable of controlling and managing their interests in all these respects is the government of the Union****. It is their government, and in that character they have no other. America has chosen to [130 U.S. 581, 605] be in many respects, and to many purposes, a nation; and for all these purposes her government is complete; to all these objects, it is competent.* ***The people have declared that in the exercise of all powers given for these objects it is supreme. It can, then, in effecting these objects, legitimately control all individuals or governments within the American territory."***
>
> *[. . .]*
>
> *"****The power of exclusion of foreigners being an incident of sovereignty belonging to the government of the United States as a part of those sovereign powers delegated by the constitution****, the right to its exercise at any time when, in the judgment of the government, the interests of the country require it, cannot be granted away or restrained on behalf of any one.* ***The powers of government are delegated in trust to the United States, and are***

incapable of transfer to any other parties. *They cannot be abandoned or surrendered.* ***Nor can their exercise be hampered, when needed for the public good, by any considerations of private interest. The exercise of these public trusts is not the subject of barter or contract.*** *"*
[Chae Chan Ping v. U.S., 130 U.S. 581 (1889)]

11.9 Effect of Federal Franchises and Offices Upon Your Citizenship and Standing in Court

Another important element of citizenship is that artificial entities like corporations are statutory but not constitutional citizens in the context of civil litigation.

"A corporation is a citizen, resident, or inhabitant of the state or country by or under the laws of which it was created, and of that state or country only."
[19 Corpus Juris Secundum, Corporations, §886]

"A corporation is not a citizen within the meaning of that provision of the Constitution, which declares that the citizens of each State shall be entitled to all the privileges and immunities of citizens of the several States."
[Paul v. Virginia, 8 Wall (U.S.) 168, 19 L.Ed. 357 (1868)]

Likewise, all governments are "corporations" as well.

"Corporations are also of all grades, and made for varied objects; ***all governments are corporations, created by usage and common consent, or grants and charters which create a body politic for prescribed purposes; but whether they are private, local or general, in their objects, for the enjoyment of property, or the exercise of power, they are all governed by the same rules of law, as to the construction and the obligation of the instrument by which the incorporation is made. One universal rule of law protects persons and property****. It is a fundamental principle of the common law of England, that the term freemen of the kingdom, includes 'all persons,' ecclesiastical and temporal, incorporate, politique or natural; it is a part of their magna charta (2 Inst. 4), and is incorporated into our institutions. The persons of the members of corporations are on the same footing of protection as other persons, and their corporate property secured by the same laws which protect that of individuals. 2 Inst. 46-7. 'No man shall be taken,' 'no man shall be disseised,' without due process of law, is a principle taken from magna charta, infused into all our state constitutions, and is made inviolable by the federal government, by the amendments to the constitution."*
[Proprietors of Charles River Bridge v. Proprietors of Warren Bridge, 36 U.S. 420 (1837)]

TITLE 28 - JUDICIARY AND JUDICIAL PROCEDURE
PART VI - PARTICULAR PROCEEDINGS
CHAPTER 176 - FEDERAL DEBT COLLECTION PROCEDURE
SUBCHAPTER A - DEFINITIONS AND GENERAL PROVISIONS
Sec. 3002. Definitions

(15) ***"United States" means*** *-*
(A) ***a Federal corporation****;*
(B) an agency, department, commission, board, or other entity of the United States; or
(C) an instrumentality of the United States.

"A federal corporation operating within a state is considered a domestic corporation rather than a foreign corporation. ***The United States government is a foreign corporation with respect to a state."***
[19 Corpus Juris Secundum (C.J.S.), Corporations, §883 (2003)]

Those who are acting in a representative capacity on behalf of the national government as "public officers" therefore assume the same status as their employer pursuant to Federal Rule of Civil Procedure 17(b). To wit:

IV. PARTIES > Rule 17.
Rule 17. Parties Plaintiff and Defendant; Capacity

(b) Capacity to Sue or be Sued.

Capacity to sue or be sued is determined as follows:
(1) for an individual who is not acting in a representative capacity, by the law of the individual's domicile;
(2) for a corporation [the "United States", in this case, or its officers on official duty representing the corporation], by the law under which it was organized [municipal laws of the District of Columbia]; and
(3) for all other parties, by the law of the state where the court is located, except that:

(A) a partnership or other unincorporated association with no such capacity under that state's law may sue or be sued in its common name to enforce a substantive right existing under the United States Constitution or laws; and
(B) 28 U.S.C. §§754 and 959(a) govern the capacity of a receiver appointed by a United States court to sue or be sued in a United States court.

[Federal Rule of Civil Procedure 17(b)]

Persons acting in the capacity as "public officers" of the national government are therefore acting as "officers of a corporation" as described in 26 U.S.C. §6671(b) and 26 U.S.C. §7343 and become "persons" within the meaning of federal statutory law.

TITLE 26 > Subtitle F > CHAPTER 68 > Subchapter B > PART I > § 6671
§ 6671. Rules for application of assessable penalties

(b) Person defined

*The term "person", as used in this subchapter, **includes an officer or employee of a corporation, or a member or employee of a partnership,** who as such officer, employee, or member is under a duty to perform the act in respect of which the violation occurs.*

TITLE 26 > Subtitle F > CHAPTER 75 > Subchapter D > § 7343
§7343. Definition of term "person"

*The term "person" as used in this chapter **includes an officer or employee of a corporation, or a member or employee of a partnership,** who as such officer, employee, or member is under a duty to perform the act in respect of which the violation occurs.*

Because all corporations are "citizens", then "public officers" also take on the character of "U.S. citizens" in the capacity of their official duties, regardless of what they are as private individuals. It is also interesting to note that IRS correspondence very conspicuously warns the recipient right underneath the return address the following, confirming that they are corresponding with a "public officer" and not a private individual:

"Penalty for private use $300."

Note that all "taxpayers" are "public officers" of the national government, and they are referred to in the Internal Revenue Code as "effectively connected with a trade or business". The term "trade or business" is defined as "the functions of a public office":

26 U.S.C. Sec. 7701(a)(26)

"The term 'trade or business' includes the performance of the functions of a public office."

For details on this scam, see:

1. *Proof That There is a "Straw Man"*, Form #05.042
 http://sedm.org/Forms/FormIndex.htm
2. *Why Your Government is Either a Thief or You are a "Public Officer" for Income Tax Purposes*, Form #05.008
 http://sedm.org/Forms/FormIndex.htm
3. *The "Trade or Business" Scam*, Form #05.001
 http://sedm.org/Forms/FormIndex.htm
4. *Who are "Taxpayers" and Who Needs a "Taxpayer Identification Number"?*, Form #05.013
 http://sedm.org/Forms/FormIndex.htm

The U.S. Supreme Court has also said it is "repugnant to the constitution" for the government to regulate private conduct. The only way you can lawfully become subject to the government's jurisdiction or the tax laws is to engage in "public conduct" as a "public officer" of the national government.

"The power to "legislate generally upon" life, liberty, and property, as opposed to the "power to provide modes of redress" against offensive state action, was "repugnant" to the Constitution. Id., at 15. See also United States

v. Reese, 92 U.S. 214, 218 *(1876); United States v. Harris,* 106 U.S. 629, 639 *(1883); James v. Bowman,* 190 U.S. 127, 139 *(1903). Although the specific holdings of these early cases might have been superseded or modified, see, e.g., Heart of Atlanta Motel, Inc. v. United States,* 379 U.S. 241 *(1964); United States v. Guest,* 383 U.S. 745 *(1966), their treatment of Congress' §5 power as corrective or preventive, not definitional, has not been questioned."*
*[*City of Boerne v. Florez, Archbishop of San Antonio, 521 U.S. 507 (1997)*]*

Note also that ordinary "employees" are NOT "public officers":

Treatise on the Law of Public Offices and Officers
Book 1: Of the Office and the Officer: How Officer Chosen and Qualified
Chapter I: Definitions and Divisions
§2 How Office Differs from Employment.-

A public office differs in material particulars from a public employment, for, as was said by Chief Justice MARSHALL, "although an office is an employment, it does not follow that every employment is an office. A man may certainly be employed under a contract, express or implied, to perform a service without becoming an officer."

"We apprehend that the term 'office,'" said the judges of the supreme court of Maine, "implies a delegation of a portion of the sovereign power to, and the possession of it by, the person filling the office; and the exercise of such power within legal limits constitutes the correct discharge of the duties of such office. The power thus delegated and possessed may be a portion belonging sometimes to one of the three great departments and sometimes to another; still it is a legal power which may be rightfully exercised, and in its effects it will bind the rights of others and be subject to revision and correction only according to the standing laws of the state. An employment merely has none of these distinguishing features. A public agent acts only on behalf of his principal, the public, whoso sanction is generally considered as necessary to give the acts performed the authority and power of a public act or law. ***And if the act be such as not to require subsequent sanction, still it is only a species of service performed under the public authority and for the public good, but not in the exercise of any standing laws which are considered as roles of action and guardians of rights.****"*

"The officer is distinguished from the employee," says Judge COOLEY, "in the greater importance, dignity and independence of his position; in being required to take an official oath, and perhaps to give an official bond; in the liability to be called to account as a public offender for misfeasance or non-feasance in office, and usually, though not necessarily, in the tenure of his position. In particular cases, other distinctions will appear which are not general."
[A Treatise on the Law of Public Offices and Officers, Floyd Russell Mechem, 1890, pp. 3-4, §2;
SOURCE: http://books.google.com/books?id=g-I9AAAAIAAJ&printsec=titlepage*]*

The ruse described in this section of making corporations into "citizens" and those who work for them into "public officers" of the government and "taxpayers" started just after the Civil War. Congress has always been limited to taxing things that it creates, which means it has never been able to tax anything but federal and not state corporations. The Supreme Court has confirmed, for instance, that the income tax is and always has been a franchise or privilege tax upon profit of federal corporations.

*"****Excises are taxes laid upon the manufacture, sale or consumption of commodities within the country, upon licenses to pursue certain occupations and upon corporate privileges****...****the requirement to pay such taxes involves the exercise of [220 U.S. 107, 152] privileges, and the element of absolute and unavoidable demand is lacking****...*

...It is therefore well settled by the decisions of this court that when the sovereign authority has exercised the right to tax a legitimate subject of taxation as an exercise of a franchise or privilege, it is no objection that the measure of taxation is found in the income produced in part from property which of itself considered is nontaxable...

Conceding the power of Congress to tax the business activities of private corporations.. the tax must be measured by some standard..."
*[*Flint v. Stone Tracy Co., *220 U.S. 107 (1911)]*

"The Sixteenth Amendment declares that Congress shall have power to levy and collect taxes on income, "from [271 U.S. 174] whatever source derived," without apportionment among the several states and without regard to any census or enumeration. It was not the purpose or effect of that amendment to bring any new subject within the taxing power. Congress already had power to tax all incomes. But taxes on incomes from some sources had been held to be "direct taxes" within the meaning of the constitutional requirement as to apportionment. Art. 1, § 2, cl. 3, § 9, cl. 4; Pollock v. Farmers' Loan & Trust Co., 158 U.S. 601. The Amendment relieved from that requirement, and obliterated the distinction in that respect between taxes on

> *income that are direct taxes and those that are not, and so put on the same basis all incomes "from whatever source derived." Brushaber v. Union P. R. Co., 240 U.S. 1, 17.* ***"Income" has been taken to mean the same thing as used in the Corporation Excise Tax Act of 1909, in the Sixteenth Amendment, and in the various revenue acts subsequently passed. Southern Pacific Co. v. Lowe, 247 U.S. 330, 335; Merchants' L. & T. Co. v. Smietanka, 255 U.S. 509, 219. After full consideration, this Court declared that income may be defined as gain derived from capital, from labor, or from both combined, including profit gained through sale or conversion of capital. Stratton's Independence v. Howbert, 231 U.S. 399, 415; Doyle v. Mitchell Brothers Co., 247 U.S. 179, 185; Eisner v. Macomber, 252 U.S. 189, 207.*** *And that definition has been adhered to and applied repeatedly. See, e.g., Merchants' L. & T. Co. v. Smietanka, supra; 518; Goodrich v. Edwards, 255 U.S. 527, 535; United States v. Phellis, 257 U.S. 156, 169; Miles v. Safe Deposit Co., 259 U.S. 247, 252-253; United States v. Supplee-Biddle Co., 265 U.S. 189, 194; Irwin v. Gavit, 268 U.S. 161, 167; Edwards v. Cuba Railroad, 268 U.S. 628, 633. In determining what constitutes income, substance rather than form is to be given controlling weight. Eisner v. Macomber, supra, 206. [271 U.S. 175]"*
> *[Bowers v. Kerbaugh-Empire Co., 271 U.S. 170, 174, (1926)]*

> *"As repeatedly pointed out by this court, the Corporation Tax Law of 1909..* ***imposed an excise or privilege tax, and not in any sense, a tax upon property or upon income merely as income****. It was enacted in view of the decision of Pollock v. Farmer's Loan & T. Co., 157 U.S. 429, 29 L.Ed. 759, 15 Sup.St.Rep. 673, 158 U.S. 601, 39 L.Ed. 1108, 15 Sup.Ct.Rep. 912, which held the income tax provisions of a previous law to be unconstitutional because amounting in effect to a direct tax upon property within the meaning of the Constitution, and because not apportioned in the manner required by that instrument."*
> *[U.S. v. Whiteridge, 231 U.S. 144, 34 S.Sup.Ct. 24 (1913)]*

To create and expand a national income tax, the federal government therefore had to make the municipal government of the District of Columbia into a federal corporation in 1871 and then impose an income tax upon the officers of the corporation ("public officers") by making all of their earnings from the office into "profit" and "gross income" subject to excise tax upon the franchise they participate in. Below is the history of this transformation. You can find more in Great IRS Hoax, Form #11.302, Chapter 6:

1. The first American Income Tax was passed in 1862. See:
 12 Stat. 432.
 http://memory.loc.gov/cgi-bin/ampage?collId=llsl&fileName=012/llsl012.db&recNum=463
2. The License Tax Cases was heard in 1866 by the Supreme Court, in which the Supreme Court said that Congress could not license a trade or business in a state in order to tax it, referring to the civil war tax enacted in 1862. See:
 License Tax Cases, 72 U.S. 462 (1866)
 http://caselaw.lp.findlaw.com/scripts/getcase.pl?navby=case&court=us&vol=72&page=462
3. The Fourteenth Amendment was ratified in 1868. This Amendment uses the phrase "citizens of the United States" in order to confuse it with statutory "citizens of the United States" domiciled on federal territory in the exclusive jurisdiction of Congress.
4. The civil war income tax was repealed in 1871. See:
 4.1. 17 Stat. 401
 4.2. *Great IRS Hoax*, Form #11.302, Section 6.5.20.
5. Congress incorporated the District of Columbia in 1871. The incorporation of the District of Columbia was done to expand the income tax by taxing the government's own "public officers" as a federal corporation. See the following:
 19 Stat. 419
 http://famguardian.org/Subjects/Taxes/16Amend/SpecialLaw/DCCorpStatuesAtLarge.pdf

If you would like to know more about how franchises such as a "public office" affect your effective citizenship and standing in court, see:

Government Instituted Slavery Using Franchises, Form #05.030
http://sedm.org/Forms/FormIndex.htm

11.10 Federal Statutory Citizenship Statuses Diagram

We have prepared a Venn diagram showing all of the various types of citizens so that you can properly distinguish them. The important thing to notice about this diagram is that there are multiple types of "citizens of the United States" and "nationals of the United States" because there are multiple definitions of "United States" according to the Supreme Court, as we showed earlier in section 11.1.

Figure 3: Federal Statutory Citizenship Statuses Diagram

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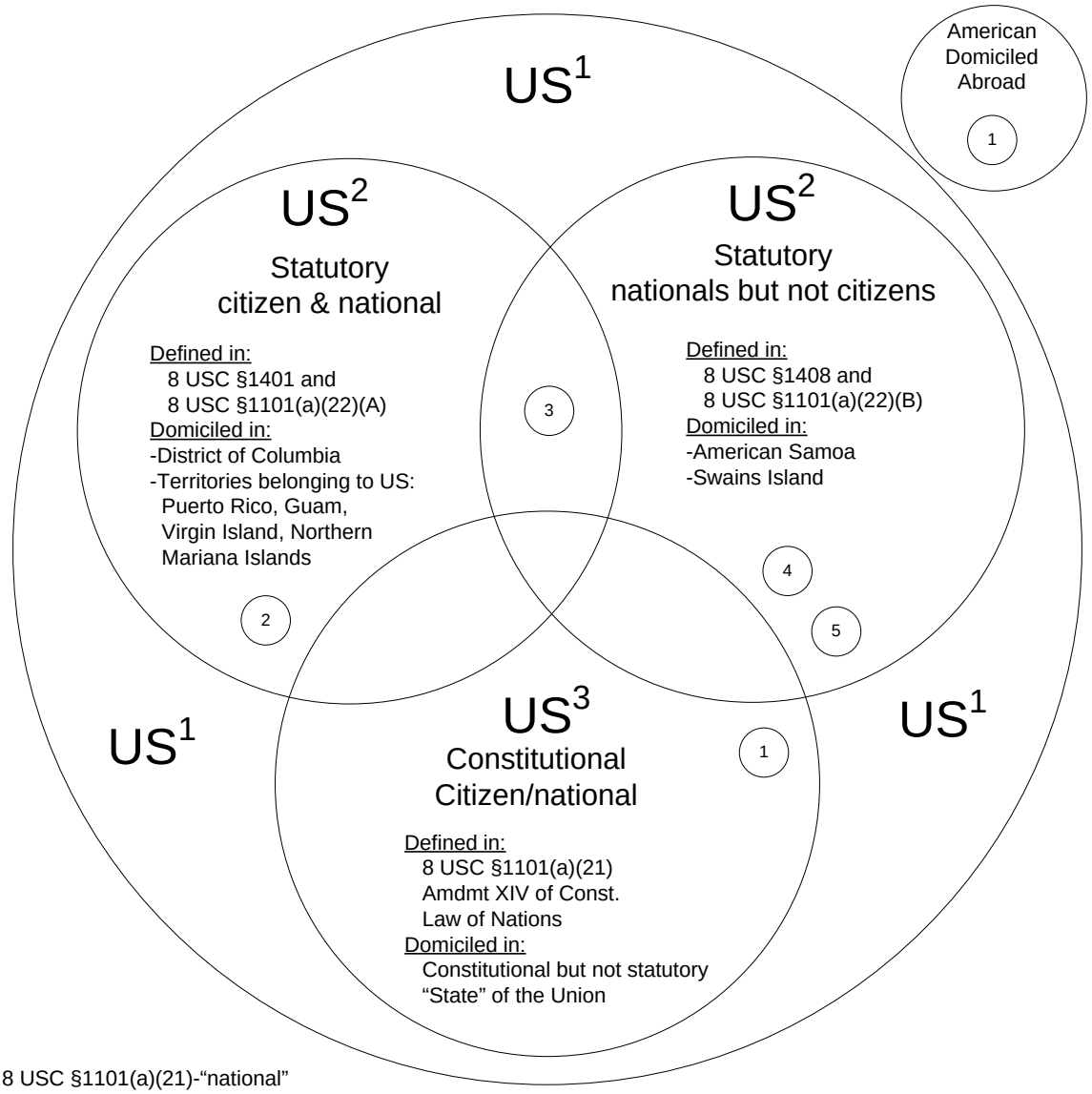
FEDERAL STATUTORY CITIZENSHIP STATUSES

"The term 'United States' may be used in any one of several senses. ***1)*** *It may be merely the name of a sovereign occupying the position analogous to that of other sovereigns in the family of nations.* ***2)*** *It may designate the territory over which the sovereignty of the United States extends, or* ***3)*** *it may be the collective name of the states which are united by and under the Constitution." [**Numbering Added**] [Hooven & Allison Co. v. Evatt, 324 U.S. 652, (1945)]*

US[1] - Context used in matters describing our sovereign country within the family of nations.

US[2] - Context used to designate the territory over which the Federal Government is sovereign.

US[3] - Context used regarding the sovereign states of the Union united by and under the Constitution.



1. 8 USC §1101(a)(21)-"national"
2. 8 USC §1401-"citizen & national of the United States[2]"
3. 8 USC §1101(a)(22)-"national of the United States[2]"
4. 8 USC §1408-"national but not citizen of the United States[2] at birth"
5. 8 USC §1452-"non-citizen national"

1 — Describes those born within and domiciled within states of the Union.

Rev. 9/16/09

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12. CITIZENSHIP IN GOVERNMENT RECORDS

The citizenship status of a person is maintained in the Social Security "NUMIDENT" record:

1. The NUMIDENT record derives from what was filled out on the SSA Form SS-5, Block 5. See: http://www.ssa.gov/online/ss-5.pdf
2. One's citizenship status is encoded within the NUMIDENT record using the "CSP code" within the Numident record. This code is called the "citizenship code" by the Social Security administration.
3. Like all government forms, the terms used on the SSA Form SS-5 use the STATUTORY context, not the CONSTITUTIONAL context for all citizenship words. Hence, block 5 of the SSA Form SS-5 should be filled out with "Legal Alien Authorized to Work", which means you are a STATUTORY but not CONSTITUTIONAL alien. This is consistent with the definition of "individual" found in 26 C.F.R. §1.1441-1(c)(3), which defines the term to include ONLY STATUTORY "aliens".
4. Those who are not STATUTORY "nationals and citizens of the United States**" at birth per 8 U.S.C. §1401 or 26 U.S.C. §3121(e), and 26 C.F.R. §1.1-1(c) have a "CSP code" of B in their NUMIDENT record, which corresponds with a CSP code of "B". The comment field of the NUMIDENT record should also be annotated with the following to ensure that it is not changed during an audit because of confusion on the part of the SSA employee:

 > *"CSP Code B not designated in error-- applicant is an American national with a domicile and residence in a foreign state for the purposes of the Social Security Act."*

5. The local SSA office cannot provide a copy of the NUMIDENT record. Only the central SSA headquarters can provide it by submitting a Privacy Act request rather than a FOIA using the following resource:

 Guide to Freedom of Information Act, Social Security Administration
 http://www.ssa.gov/foia/html/foia_guide.htm

6. Information in the NUMIDENT record is shared with:
 6.1. The Department of Homeland Security (DHS).
 6.2. State Department of Motor Vehicles in verifying SSNs.
 6.3. E-Verify.

 About E-Verify, Form #04.107
 http://sedm.org/Forms/FormIndex.htm

7. The procedures for requesting NUMIDENT information using the Freedom of Information Act or Privacy Act are described in:

 Social Security Program Operations Manual System (POMS), Section RM 00299.005 Form SSA-L669 Request for Evidence in Support of an SSN Application — U.S.-Born Applicant
 https://s044a90.ssa.gov/apps10/poms.nsf/lnx/0100299005

Those who are CONSTITUTIONAL but not STATUTORY citizens and who wish to change the citizenship status reflected in the NUMIDENT record may do so by executing both of the following methods:

1. Visiting the local Social Security Administration office and getting the clerk to change the record. Bring witnesses in case they resist.
2. Sending in the following document:

 Resignation of Compelled Social Security Trustee, Form #06.002
 http://sedm.org/Forms/FormIndex.htm

13. HOW TO DESCRIBE YOUR CITIZENSHIP ON GOVERNMENT FORMS AND CORRESPONDENCE

In the following sections, we will share the results of our collective latest research and how they fit together perfectly in the overall puzzle. We have concluded the following:

1. A Citizen of one of the 50 states is a United States*** citizen per the Fourteenth Amendment and a "Legal Alien Allowed To Work" for the purposes of SSA Form SS-5 so long as he/she maintains a domicile (actual or declared) in one of the 50 states or outside of the United States**.

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2. A Citizen of one of the 50 states is a United States*** citizen per the Fourteenth Amendment and an "An alien authorized to work" for the purposes of USCIS Form I-9 so long as he/she maintains a domicile (actual or declared) in one of the 50 states or outside of the United States**.

You will have trouble when you try to explain your citizenship on government forms based on the content of this paper because:

1. IRS, SSA, and the Department of State do not put all of the options available for citizenship on their forms.
2. Most people falsely PRESUME that "United States" as used in the phrase "citizen of the United States" means the whole country for EVERY enactment of Congress but they won't expose this presumption.
3. The use of the term "citizenship" on government forms intentionally confuses "nationality" with "domicile" in an attempt to make them appear equal, when in fact they are NOT.
4. Government forms often mix requests for information from multiple titles of the Code and do not distinguish which title they mean on the form. For instance, "United States" in Title 26 means federal territory (U.S.**) while "United States" in other Titles or in the Constitution itself often means states of the Union (U.S. ***).

We will clarify in the following sections techniques for avoiding the above road blocks.

13.1 Overview

This section provides some pointers on how to describe your citizenship status on government forms in order to avoid being confused with a someone who has a domicile on federal territory and therefore no Constitutional rights. Below is a summary of how we recommend protecting yourself from the prejudicial presumptions of others about your citizenship status:

1. Keep in mind the following facts about all government forms:
 1.1. Government forms ALWAYS imply the LEGAL/STATUTORY rather than POLITICAL/CONSTITUTIONAL status of the party in the context of all franchises, including income taxes and social security.
 1.2. "Alien" on government forms means a STATUTORY alien domiciled outside the federal zone, which we also call the "statutory United States**". It includes both people domiciled in a constitutional state and those domiciled in a foreign country. "Alien" is always relative to domicile and not nationality.
 1.3. The Internal Revenue Code does NOT define the term "nonresident alien". The closest thing to a definition is that found in 26 U.S.C. §7701(b)(1)(B), which defines what it ISN'T, but NOT what it IS. If you look on IRS Form W-8BEN, Block 3, you can see that there are many different types of entities that can be nonresident aliens, none of which are EXPRESSLY included in the definition at 26 U.S.C. §7701(b)(1)(B). It is therefore IMPOSSIBLE to conclude based on any vague definition in the Internal Revenue Code that a specific person IS or IS NOT a "nonresident alien."
 1.4. On tax forms, the term "nonresident alien" is NOT a subset of the term "alien", but rather a SUPERSET. It includes both FOREIGN nationals domiciled in a foreign country and also persons in Constitutional states of the Union. A "national of the United States**", for instance, although NOT an "alien" under Title 8 of the U.S. Code, is an "alien" under Title 26 of the U.S. Code. Therefore, a "nonresident alien" is a "word of art" designed to confuse people, and the fact that uses the word "alien" doesn't mean it IS an "alien". This is covered in:

Flawed Tax Arguments to Avoid, Form #08.004, Section 6.7 http://sedm.org/Forms/FormIndex.htm

2. Anyone who PRESUMES any of the following should promptly be DEMANDED to prove the presumption with legally admissible evidence from the law. ALL of these presumptions are FALSE and cannot be proven:
 2.1. That you can trust ANYTHING that either a government form OR a government employee says. The courts say not only that you CANNOT, but that you can be PENALIZED for doing so. See:

Reasonable Belief About Income Tax Liability, Form #05.007 http://sedm.org/Forms/FormIndex.htm

 2.2. That nationality and domicile are synonymous.
 2.3. That "nonresident aliens" are a SUBSET of "aliens" within the Internal Revenue Code.
 2.4. That the term "United States" has the SAME meaning in Title 8 of the U.S. Code as it has is Title 26.
 2.5. That "non-citizen nationals" (per 8 U.S.C. §1101(a)(21)) or "nationals of the United States" (per 8 U.S.C. §1408) are NOT "aliens" under the Internal Revenue Code, 26 U.S.C..
 2.6. That a Fourteenth Amendment "citizen of the United States" is equivalent to any of the following:
 2.6.1. 8 U.S.C. §1401 "national and citizen of the United States".

2.6.2. 26 C.F.R. §1.1-1 "citizen".
2.6.3. 26 U.S.C. §3121(e) "citizen of the United States".
All of the above statuses have similar sounding names, but they rely on a DIFFERENT definition of "United States" from that found in the U.S.A. Constitution.

2.7. That you can be a statutory "taxpayer" or statutory "citizen" of any kind WITHOUT your consent. See:

Why Domicile and Becoming a "Taxpayer" Require Your Consent, Form #05.002
http://sedm.org/Forms/FormIndex.htm

3. The safest way to describe oneself is to check "Other" for citizenship or add an "Other" box if the form doesn't have one and then do one of the following:
 3.1. Write in the "Other" box

"See attached mandatory Affidavit of Citizenship, Domicile, and Tax Status, Form #02.001"

and then attach the following completed form:

Affidavit of Citizenship, Domicile, and Tax Status, Form #02.001
http://sedm.org/Forms/FormIndex.htm

 3.2. If you don't want to include an attachment, add the following mandatory language to the form that you are a:
 3.2.1. A "Citizen and national of _____(statename)"
 3.2.2. NOT a statutory "national and citizen of the United States" or "U.S. citizen" per 8 U.S.C. 1401
 3.2.3. A constitutional or Fourteenth Amendment Citizen.
 3.2.4. A statutory alien per 26 U.S.C. §7701(b)(1)(A) for the purposes of the federal income tax.
4. If the recipient of the form says they won't accept attachments or won't allow you to write explanatory information on the form needed to prevent perjuring the form, then send them an update via certified mail AFTER they accept your submission so that you have legal evidence that they tried to tamper with a federal witness and conspired to commit perjury on the form.
5. For detailed instructions on how to fill out the USCIS Form I-9, See:

I-9 Form Amended, Form #06.028
http://sedm.org/Forms/FormIndex.htm

6. For detailed instructions on how to participate in E-Verify for the purposes of PRIVATE employment, see:

About E-Verify, Form #04.107
http://sedm.org/Forms/FormIndex.htm

7. To undo the damage you have done over the years to your status by incorrectly describing your status, send in the following form and submit according to the instructions provided. This form says that all future government forms submitted shall have this form included or attached by reference.

Legal Notice of Change in Domicile/Citizenship Records and Divorce from the United States, Form #10.001
http://sedm.org/Forms/FormIndex.htm

8. Quit using Taxpayer Identifying Numbers (TINs). 20 C.F.R. §422.104 says that only statutory "U.S. citizens" and "permanent residents" can lawfully apply for Social Security Numbers, both of which share in common a domicile on federal territory such as statutory "U.S. citizens" and "residents" (aliens), can lawfully use such a number. 26 C.F.R. §301.6109-1(b) also indicates that "U.S. persons", meaning persons with a domicile on federal territory, are required to furnish such a number if they file tax forms. "Foreign persons" are also mentioned in 26 C.F.R. §301.6109-1(b), but these parties also elect to have an effective domicile on federal territory and thereby become "persons" by engaging in federal franchises. See:
 8.1. *Who are "Taxpayers" and Who Needs a "Taxpayer Identification Number"?*, Form #05.013
 http://sedm.org/Forms/FormIndex.htm
 8.2. *Why It is Illegal for Me to Request or Use a "Taxpayer Identification Number"*, Form #04.205-attach this form to every government form that asks for a Social Security Number or Taxpayer Identification Number. Write in the SSN/TIN Box (NONE: See attached form #04.205).
 http://sedm.org/Forms/FormIndex.htm
 8.3. *Resignation of Compelled Social Security Trustee*, Form #06.002-use this form to quit Social Security lawfully.
 http://sedm.org/Forms/FormIndex.htm
9. If you are completing any kind of government form or application to any kind of financial institution other than a tax form and you are asked for your citizenship status, TIN, or Social Security Number, attach the following form and prepare according to the instructions provided:

Affidavit of Citizenship, Domicile, and Tax Status, Form #02.001
http://sedm.org/Forms/FormIndex.htm

10. If you are completing and submitting a government tax form, attach the following form and prepare according to the instructions provided:

Tax Form Attachment, Form #04.201 http://sedm.org/Forms/FormIndex.htm

11. If you are submitting a voter registration, attach the following form and prepare according to the instructions provided:

Voter Registration Attachment, Form #06.003 http://sedm.org/Forms/FormIndex.htm

12. If you are applying for a USA passport, attach the following form and prepare according to the instructions provided:

USA Passport Application Attachment, Form #06.007 http://sedm.org/Forms/FormIndex.htm

13. If you are submitting a complaint, response, pleading, or motion to a federal court, you should attach the following form:

Federal Pleading/Motion/Petition Attachment, Litigation Tool #01.002 http://sedm.org/Litigation/LitIndex.htm

14. Use as many of the free forms as you can from the page below. They are very well thought out to avoid traps set by the predators who run the American government:

SEDM Forms Page http://sedm.org/Forms/FormIndex.htm

15. When engaging in correspondence with anyone in the government, legal, or financial profession about your status that occurs on other than a standard government form, use the following guidelines:
 15.1. In the return address for the correspondence, place the phrase "(NOT A DOMICILE OR RESIDENCE)".
 15.2. Entirely avoid the use of the words "citizen", "citizenship", "resident", "inhabitant". Instead, prefer the term "non-citizen national", and "transient foreigner".
 15.3. Never describe yourself as an "individual" or "person". 5 U.S.C. §552a(a)(2) says that this entity is a government employee who is a statutory "U.S. citizen" or "resident" (alien). Instead, refer to yourself as a "transient foreigner" and a "nonresident". Some forms such as IRS form W-8BEN Block 3 have no block for "transient foreigner" or "nonresident NON-individual", in which case modify the form to add that option. See the following for details:

About IRS Form W-8BEN, Form #04.202 http://sedm.org/Forms/FormIndex.htm

 15.4. Entirely avoid the use of the phrase "United States", because it has so many different and mutually exclusive meanings in the U.S. code and state law. Instead, replace this phrase with the name of the state you either are physically present within or with "USA" and then define that "USA" includes the states of the Union and excludes federal territory. For instance, you could say "Citizen of California Republic" and then put an asterisk next to it and at the bottom of the page explain the asterisk as follows:

> ** NOT a citizen of the **STATE of** California, which is a corporate extension of the federal government, but instead a sovereign Citizen of the California Republic*
>
> *California Revenue and Taxation Code, section 6017 defines "State of" as follows:*
>
> > *"6017. 'In this State' or 'in the State' means within the exterior limits of the State of California and includes all territory within these limits owned by or ceded to the United States of America."*

 15.5. Never use the word "residence", "permanent address", or "domicile" in connection with either the term "United States", or the name of the state you are in.
 15.6. If someone else refers to you improperly, vociferously correct them so that they are prevented from making presumptions that would injure your rights.
 15.7. Avoid words that are undefined in statutes that relate to citizenship. Always use words that are statutorily defined and if you can't find the definition, define it yourself on the form or correspondence you are sending. Use of undefined words encourages false presumptions that will eventually injure your rights and give judges and administrators discretion that they undoubtedly will abuse to their benefit. There isn't even a common definition of "citizen of the United States" or "U.S. citizen" in the standard dictionary, then the definition of "U.S. citizen" in all the state statutes and on all government forms is up to us! Therefore, once again, whenever you fill out any kind of form that specifies either "U.S. citizen" or "citizen of the United States", you should be ***very*** careful to clarify that it means "national" under 8 U.S.C. §1101(a)(21) or you will be "presumed" to be a federal citizen and a "citizen of the United States**" under 8 U.S.C. §1401, and this is one of the biggest injuries to your rights that

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you could ever inflict. Watch out folks! Here is the definition we recommend that you use on any government form that uses these terms that makes the meaning perfectly clear and unambiguous:

> ***"U.S.*** citizen" or "citizen of the United States***"**: *A "National" defined in either 8 U.S.C. §1101(a)(21) who owes their permanent allegiance to the confederation of states called the "United States of America". Someone who was not born in the federal "United States" as defined in 8 U.S.C. §1101(a)(38) and who is NOT a "citizen of the United States" under 8 U.S.C. §1401.*

15.8. Refer them to this pamphlet if they have questions and tell them to do their homework.

13.2 Tabular summary of citizenship status on all federal forms

The table on the next page resurrects and expands upon the table found earlier in section 11.4. It presents a tabular summary of each permutation of nationality and domicile as related to the major federal forms and the Social Security NUMIDENT record.

Table 15: Tabular Summary of Citizenship Status on Government Forms

#	Citizenship status	Place of birth	Domicile	Defined in	Social Security NUMIDENT Status	Status on Specific Government Forms			
						Social Security SS-5	IRS Form W-8 Block 3	Department of State I-9	E-Verify System
1	"U.S. citizen" or "Statutory U.S. citizen"	Statutory "United States" pursuant to 8 U.S.C. §1101(a)(38), (a)(36) and 8 C.F.R. §215.1(f) or in the "outlying possessions of the United States" pursuant to 8 U.S.C. §1101(a)(29)	District of Columbia, Puerto Rico, Guam, Virgin Islands	8 U.S.C. §1401; 8 U.S.C. §1101(a)(22)(A)	CSP=A	Block 5="U.S. Citizen"	Can't use Form W-8	Section 1="A citizen of the United States"	See Note 1.
2	"U.S. national"	Statutory "United States" pursuant to 8 U.S.C. §1101(a)(38), (a)(36) and 8 C.F.R. §215.1(f) or in the "outlying possessions of the United States" pursuant to 8 U.S.C. §1101(a)(29)	American Samoa; Swains Island; or abroad to U.S. national parents under 8 U.S.C. §1408(2)	8 U.S.C. §1101(a)(22)(B); 8 U.S.C. §1408; 8 U.S.C. §1452		Block 5="Legal alien authorized to work. (statutory)"	"Nonresident NON-Individual Nontaxpayer"	Section 1="A noncitizen national of the United States"	See Note 1.
3.1	"U.S.A. national" or "state national" or "Constitutional but not statutory citizen"	Constitutional Union state	State of the Union	8 U.S.C. §1101(a)(21); 14th Amend., Sect. 1		Block 5="Legal alien authorized to work. (statutory)"	"Nonresident NON-Individual Nontaxpayer"	Section 1= "An alien authorized to work (statutory)"	See Note 1.
3.2	"U.S.A. national" or "state national" or "Constitutional but not statutory citizen"	Constitutional Union state	Foreign country	8 U.S.C. §1101(a)(21); 14th Amend., Sect. 1		Block 5="Legal alien authorized to work. (statutory)"	"Nonresident NON-Individual Nontaxpayer"	Section 1= "An alien authorized to work (statutory)"	See Note 1.

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#	Citizenship status	Place of birth	Domicile	Defined in	Social Security NUMIDENT Status	Status on Specific Government Forms			
						Social Security SS-5	IRS Form W-8 Block 3	Department of State I-9	E-Verify System
3.3	"U.S.A. national" or "state national" or "Constitutional but not statutory citizen"	Constitutional Union state	Foreign country	8 U.S.C. §1101(a)(21); 14th Amend., Sect. 1		Block 5="Legal alien authorized to work. (statutory)"	"Nonresident NON-Individual Nontaxpayer"	Section 1= "An alien authorized to work (statutory)"	See Note 1.
3.4	"U.S.A. national" or "state national" or "Constitutional but not statutory citizen"	Constitutional Union state	Puerto Rico, Guam, Virgin Islands, American Samoa, Commonwealth of Northern Mariana Islands	8 U.S.C. §1101(a)(3); 8 U.S.C. §1101(a)(21); 14th Amend., Sect. 1		Block 5="Legal alien authorized to work. (statutory)"	"Nonresident NON-Individual Nontaxpayer"	Section 1="A lawful permanent resident" OR "An alien authorized to work"	See Note 1.
4.1	"alien" or "Foreign national"	Foreign country	Puerto Rico, Guam, Virgin Islands, American Samoa, Commonwealth of Northern Mariana Islands	8 U.S.C. §1101(a)(21); 8 U.S.C. §1101(a)(3)		Block 5="Legal alien authorized to work. (statutory)"	"Nonresident NON-Individual Nontaxpayer"	Section 1="A lawful permanent resident" OR "An alien authorized to work"	See Note 1.
4.2	"alien" or "Foreign national"	Foreign country	State of the Union	8 U.S.C. §1101(a)(21)		Block 5="Legal alien authorized to work. (statutory)"	"Nonresident NON-Individual Nontaxpayer"	Section 1="A lawful permanent resident" OR "An alien authorized to work"	See Note 1.
4.3	"alien" or "Foreign national"	Foreign country	State of the Union	8 U.S.C. §1101(a)(21)		Block 5="Legal alien authorized to work. (statutory)"	"Nonresident NON-Individual Nontaxpayer"	Section 1="A lawful permanent resident" OR "An alien authorized to work"	See Note 1.
4.4	"alien" or "Foreign national"	Foreign country	Foreign country	8 U.S.C. §1101(a)(21)		Block 5="Legal alien authorized to work. (statutory)"	"Nonresident NON-Individual Nontaxpayer"	Section 1="A lawful permanent resident" OR "An alien authorized to work"	See Note 1.
4.5	"alien" or "Foreign national"	Foreign country	Foreign country	8 U.S.C. §1101(a)(21)		Block 5="Legal alien authorized to work. (statutory)"	"Nonresident NON-Individual Nontaxpayer"	Section 1="A lawful permanent resident" OR "An alien authorized to work"	See Note 1.

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NOTES:

1. "United States" is described in 8 U.S.C. §1101(a)(38), (a)(36) and 8 C.F.R. §215.1(f) and includes only federal territory and possessions and excludes all Constitutional Union states. This is a product of the separation of powers doctrine that is the heart of the United States Constitution.
2. E-Verify CANNOT be used by those who are a NOT lawfully engaged in a public office in the U.S. government at the time of making application. Its use is VOLUNTARY and cannot be compelled. Those who use it MUST have a Social Security Number or Taxpayer Identification Number and it is ILLEGAL to apply for, use, or disclose said number for those not lawfully engaged in a public office in the U.S. government at the time of application. See:

 Why It is Illegal for Me to Request or Use a "Taxpayer Identification Number", Form #04.205
 http://sedm.org/Forms/FormIndex.htm
3. For instructions useful in filling out the forms mentioned in the above table, see:
 3.1. Social Security Form SS-5:

 Why You Aren't Eligible for Social Security, Form #06.001
 http://sedm.org/Forms/FormIndex.htm

 3.2. IRS Form W-8:

 About IRS Form W-8BEN, Form #04.202
 http://sedm.org/Forms/FormIndex.htm

 3.3. USCIS Form I-9:

 I-9 Form Amended, Form #06.028
 http://sedm.org/Forms/FormIndex.htm

 3.4. E-Verify:

 About E-Verify, Form #04.107
 http://sedm.org/Forms/FormIndex.htm

13.3 Diagrams of Federal Government processes that relate to citizenship

The diagrams at the link below show how your citizenship status is used and verified throughout all the various federal government programs.

Citizenship Diagrams, Form #10.010
DIRECT LINK: http://sedm.org/Forms/10-Emancipation/CitizenshipDiagrams.pdf
FORMS PAGE: http://sedm.org/Forms/FormIndex.htm

Knowledge of these processes is important to ensure that all the government's records are properly updated to reflect your status as:

1. A Constitutional "Citizen" as mentioned in Article I, Section 2, Clause 2 of the United States Constitution.
2. A Constitutional "citizen of the United States" per the Fourteenth Amendment.
3. A statutory "non-citizen national" under 8 U.S.C. §1101(a)(21).
4. "Subject to THE jurisdiction" of the CONSTITUTIONAL United States, meaning subject to the POLITICAL and not LEGISLATIVE jurisdiction of the Constitutional but not STATUTORY "United States".

> *"This section contemplates two sources of citizenship, and two sources only,-birth and naturalization. The persons declared to be citizens are 'all persons born or naturalized in the United States, and subject to the jurisdiction thereof.' The evident meaning of these last words is, not merely subject in some respect or degree to the jurisdiction of the United States,* **but completely subject to their [plural, not singular, meaning states of the Union] political jurisdiction, and owing them [the state of the Union and NOT the national government] direct and immediate allegiance.** *And the words relate to the time of birth in the one case, as they do [169 U.S. 649, 725] to the time of naturalization in the other. Persons not thus subject to the jurisdiction of the United States at the time of birth cannot become so afterwards, except by being naturalized, either individually, as by proceedings under the naturalization acts, or collectively, as by the force of a treaty by which foreign territory is acquired."*
> *[U.S. v. Wong Kim Ark, 169 U.S. 649, 18 S.Ct. 456; 42 L.Ed. 890 (1898)]*

5. With a Social Security NUMIDENT citizenship status of:

5.1. OTHER than “CSP=A”. Social Security Program Operations Manual System (POMS), Section GN 03313.095 indicates that those who are NOT STATUTORY “U.S. citizens” have a CSP code value of OTHER than “A”. See:

> *Social Security Program Operations Manual System (POMS), Section GN 03313.095, dated 4/27/2009*, Exhibit #01.012
> http://sedm.org/Exhibits/ExhibitIndex.htm

5.2. “CSP=B”, which correlates with “Legal Alien Allowed to Work”.

6. NOT any of the following:

6.1. A "U.S. citizen" or "citizen of the United States" on any federal form. All government forms presume the STATUTORY and not CONSTITUTIONAL context for terms. For an enumeration of all the statuses one can have and their corresponding status on federal forms, see:

> *Citizenship Status v. Tax Status*, Form #10.011, Section 8
> DIRECT LINK: http://sedm.org/Forms/10-Emancipation/CitizenshipStatusVTaxStatus/CitizenshipVTaxStatus.htm
> FORMS PAGE: http://sedm.org/Forms/FormIndex.htm

6.2. Statutory "U.S. citizen" per 26 U.S.C. §3121(e), and 26 C.F.R. §1.1-1(c).

6.3. Statutory "national and citizen" per 8 U.S.C. §1401.

6.4. Statutory "national but not citizen of the United States AT BIRTH" per 8 U.S.C. §1408.

6.5. Statutory "national of the United States" per 8 U.S.C. §1101(a)(22)(B).

6.6. Statutory "U.S. person" per 26 U.S.C. §7701(a)(30). All STATUTORY "U.S. persons", "persons", and "individuals" within the Internal Revenue Code are government instrumentalities and/or offices within the U.S. government, and not biological people. This is proven in:

> *Why Your Government is Either a Thief or You are a "Public Officer" for Income Tax Purposes*, Form #05.008
> DIRECT LINK: http://sedm.org/Forms/05-MemLaw/WhyThiefOrPubOfficer.pdf
> FORMS PAGE: http://sedm.org/Forms/FormIndex.htm

13.4 How the corrupt government CONCEALS and OBFUSCATES citizenship information on government forms to ENCOURAGE misapplication of federal franchises to states of the Union

The following key omissions from government forms are deliberately implemented universally by federal agencies as a way to encourage and even mandate the MISAPPLICATION of federal law to legislatively foreign jurisdictions and to KIDNAP your legal identity and transport it stealthily and without your knowledge to the District of Criminals:

1. Not distinguishing which type of "alien" they are referring to: STATUTORY or CONSTITUTIONAL.
2. Not offering a "non-citizen national" option IN ADDITION to a "non-citizen national of the United States".
3. Refusing to define WHICH of the three "United States" they mean in EACH option presented, as described by the U.S. Supreme Court in Hooven & Allison Co. v. Evatt, 324 U.S. 652 (1945) and described earlier in section 1.4.

In addition, the Social Security Administration (SSA) deliberately conceals key information about citizenship in their Program Operations Manual System (POMS) in order to encourage the misapplication of federal franchises to places they may not be offered or enforced, which is states of the Union. The POMS is available at:

> Social Security Program Operations Manual System (POMS) Online
> https://s044a90.ssa.gov/apps10/poms.nsf/partlist!OpenView

Here are the obfuscation tactics you will encounter from the SSA:

1. If you ask the Social Security Administration WHAT all of the valid values are for the CSP code in your NUMIDENT record, they will pretend like they don't know AND they will refuse to find out.
2. If you visit a local Social Security Administration office and do demand to see and print out their complete NUMIDENT records on you, they will resist.
3. Key sections of the Program Operations Manual System (POMS) within the Records Manual (RM) are omitted from public view dealing with the meaning of "CSP code" and "IDN" code in their NUMIDENT records.
 - 3.1. The "CSP code", according to the SSA POMS, is a "citizenship code". It is defined in POMS RM 00208.001D.4, which is not available online.
 - 3.2. The "IDN code" appears to be an evidence code that synthesizes the CSP and other factors to determine your exact status. "RM 00202.235, Form SS-5 Evidence (IDN) Codes" describes this code and is not available online.
 - 3.3. BOTH POMS RM 00208.001D.4 AND RM 00202.235 sections are "conveniently omitted" from the online POMS because they are hiding something:

 > Social Security Program Operations Manual System (POMS), Section RM 002: The Social Security Number, Policy and General Procedures
 > https://s044a90.ssa.gov/apps10/poms.nsf/subchapterlist!openview&restricttocategory=01002

If you want something to FOIA for, ask for the POMS sections and any other SSA internal documents that define these codes. SCUM BAGS!

Finally, HERE is how the POMS system describes how to request one's records from the SSA:

> Social Security Program Operations Manual System (POMS), Section RM 00299.005 Form SSA-L669 Request for Evidence in Support of an SSN Application — U.S.-Born Applicant
> https://s044a90.ssa.gov/apps10/poms.nsf/lnx/0100299005

13.5 The Social Security Administration and Form SS-5

Let us start with SSA Form SS-5, or what would be the nowadays equivalent of an SS-5 -- an agreement entered into as part of the birth registration process. There are multiple issues here. Each issue must be taken into consideration as this is where the whole tax snare is initiated. We know from *U.S. v. Wong Kim Ark, 169 U.S. 649 (1898)* , that a person receives two conditions at birth which describe his complete legal condition -- nationality/political status, and domicile/civil status. SSA Form SS-5 is brilliantly constructed to take both of these issues into consideration by virtue of **Block 3 -- BIRTHPLACE**, and **Block 5 -- CITIZENSHIP**. **Block 3** and **Block 5** work together to paint a complete picture, which can be very unique depending on many factors. For example, there are American Nationals born in one of the 50 states, or born in Germany, or Canada. There are foreign nationals born in China or Italy who have since gone through the process of naturalization -- maybe they are domiciled in the United States** or one of the 50 states (United States***). There are former American

Nationals who have since expatriated (i.e. surrendered United States*** nationality). The point, is that **Block 3 -- BIRTHPLACE** paints only part of the picture. The total status is only fully established when an applicable domicile is considered. But most importantly, the applicable jurisdiction changes depending on whether or not the person in consideration is an American National or a foreign national. This is key -- and this concept applies to USCIS Form I-9 also!

We know that Congress exercises plenary legislative jurisdiction over a foreign "national" occupying ANY portion of the territory of the United States* (the nation). The nation has two territorial divisions, United States**, and United States***. A foreign national occupying either territorial subdivision is a LEGAL "alien," NOT TO BE CONFUSED with his status as a POLITICAL "alien" who may or may not be in the country LEGALLY. What I mean, is that a "legal alien" or an "illegal alien" are both considered to be a LEGAL "alien" within the context of law that is -- a LEGAL appellation. This is what the status is communicating. It is simply presenting a LEGAL status that can apply to anyone who happens to be "alien" to the jurisdiction at issue, whether here legally or not, or possessing a right-to-work status or not. The issue of whether or not the "alien" is here legally or not then commutes a right-to-work status. Conversely, an American National automatically has a right-to-work status by virtue of his/her American nationality. But the jurisdiction and the status of the American National is considered differently because Congress does not have legislative jurisdiction within the 50 states -- only subject matter jurisdiction. Thus, if an American National establishes a domicile in one of the 50 states, then he too is a LEGAL "alien" . . . not a POLITICAL "alien," but a LEGAL "alien" domiciled in a territorially foreign legislative jurisdiction with a right-to-work status commuted through American nationality, which is either commuted through the Fourteenth Amendment (50 states), or an Act of Congress (D.C., Federal possessions, or naturalization). The following examples will show how both **Block 3 -- BIRTHPLACE**, and **Block 5 -- CITIZENSHIP** on SSA Form SS-5 work in tandem to paint the total picture as the Supreme Court said in *Wong Kim Ark*.

In the following examples A - E, I will provide 3 data points, 1.POLITICAL STATUS/NATIONALITY, 2. SS-5 **Block 3-- BIRTHPLACE**, 3. CIRCUMSTANCE, and finally, a conclusory civil status 4. SS-5 **Block 5--CITIZENSHIP** STATUS, which is determined by taking the first three items into consideration collectively.

A. **1.** Mexican National, **2.** BIRTHPLACE -- Mexico City, **3.** visiting = **4.** "Legal Alien Not Allowed to Work"
B. **1.** American National, **2.** BIRTHPLACE -- Phoenix, AZ, **3.** work in the U.S.A. with an Arizona domicile = **4.** "Legal Alien Allowed to Work"
C. **1.** American National, **2.** BIRTHPLACE -- Phoenix, AZ, **3.** work in the U.S.A. with a United States** domicile = **4.** "U.S. Citizen"
D. **1.** American National, **2.** BIRTHPLACE -- American Samoa, **3.** work in the U.S.A. with a United States** domicile = **4.** "Other"
E. **1.** German National, **2.** BIRTHPLACE -- Frankfurt, Germany, **3.** work in the U.S.A. with a work visa = **4.** "Legal Alien Allowed to Work"

Notice how B. and E. have the same civil status, but a different political status. This is not an issue as these differences are reconciled within the tax system, as a "U.S. person" is a "citizen" or "resident" of the "United States" with the context of the "United States" changing depending on the nationality of the "taxpayer."

How do I know the above is true? Because the SSA will not issue an SSA Form SS-1042-S to anyone with a CSP Code of "A" (U.S. Citizen). An SSA Form SS-1042-S is an information return issued to a "nonresident alien" under Title 26 who receives "United States" sourced payments from the SSA. A "U.S. person" will receive an SSA Form SS-1099R. Furthermore, if an "employer" sends "wage" information to the SSA, the SSA will then transmit that "wage" information together with the CSP Code of the "individual" to the IRS. If the IRS receives "wage" information with a CSP Code of "A", and the "taxpayer" subsequently tries to file a 1040NR, it will be flagged as being an incorrect or fraudulent return-- after all, how can an SS-5 "U.S. Citizen" file a "nonresident alien" tax return? I think they would call this "frivolous." However, if an "individual" has a CSP Code of "B" ("Legal Alien Allowed To Work") on file with the SSA, a CSP Code "B" will be transmitted with the "wage" information and the taxpayer could file EITHER a 1040 ("resident alien") or a 1040NR ("nonresident alien"), as both a "resident alien" and a "nonresident alien" would qualify as a "Legal Alien Allowed To Work" for the purposes of the *Social Security Act*. The **Block 5 -- CITIZENSHIP** status on the SSA Form SS-5 is designed to get people to declare a federal domicile in the United States**, and thus keep them caged in the "U.S. person" tax status. We know this to be the case because we know tax status is based on domicile. And since the SSA issues two types of information returns (SSA Form SS-1099R & SSA Form SS-1042-S), and since SSA will not issue an SSA Form SS-1042-S to an "individual" with a CSP Code of "A" ("U.S. Citizen"), then we know that the **Block 5 -- CITIZENSHIP** status of "U.S. Citizen" is not referring to political citizenship/nationality, but a civil status based partly on the **Block 3 -- BIRTHPLACE**, nationality, AND domicile . . . precisely as pointed out by the Supreme Court in Wong Kim Ark.

One of our members who is a non-citizen national, armed with the information from this pamphlet, went into the Social Security Administration office to file an SSA Form SS-5 to change their status from "U.S. citizen" is SSA Form SS-5, Block 5 and here is the response they got. Their identity shall remain anonymous, but here is their personal experience. They are among our most informed members and used every vehicle available on our website to prove their position at the SSA office:

> *On _____ I submitted my "Legal Alien Allowed To Work" SSA Form SS-5 modification pursuant to 20 C.F.R. §422.110(a). I was met with the recalcitrance that one would imagine, and then I "turned it on" in the style that one can only get from an SEDM education!! I was elevated to the local office manager. I insisted she input my information into the SSNAP as I have indicated, as no SSA "employee" can practice law on my behalf by providing me legal advice, mandating my political affiliations, or even sign my SS-5 under penalty of perjury, and that it was against the law for them to do so. She acknowledged that I was correct and proceeded to try.*
>
> *The manager took my information, my passport, disappeared, and then came back about 10 mins later asking for different ID. "Why . . . is my passport not good enough?" I asked. She said, "Well, the system will not let me input you as a 'Legal Alien Allowed To Work' with a U.S. Passport as your ID." I told her that my passport was evidence of nationality and not Block 5 citizenship. She told me I was correct and that "there must be something wrong with the system." She flat-out told me that Block 5 of the SSA Form SS-5 was NOT an inquiry into nationality -- which we know to be the case. It is also not an inquiry into HOW one obtains nationality. Which means it can only be a civil status based on domicile within or without the geographical legislative jurisdiction defined as the "United States" in 42 U.S.C. §1301(a)(2).*
>
> *She came back a time later, telling me they scanned my Form SS-5 as well as all of the documentation that I brought (case law, diagrams, statutory and regulatory language), and that she had been instructed to send it to Baltimore (ostensibly by Baltimore) as well as my regional office. She was told that the information I wanted reflected in my Numident could only be "hard-coded" at the national level, as only they could bypass certain provisions in the SSNAP that local offices were relegated to adhere to! Well . . . surprise, surprise!!!*
>
> *[SOURCE: http://sedm.org/forums/index.php?showtopic=1749]*

13.6 The Department of Homeland Security and Form I-9

USCIS Form I-9 also plays a very important role in protecting the status quo of the tax system. We know that USCIS Form I-9 has a very narrow application under the *Immigration Reform and Control Act of 1986*, as there are a very few number of people who would be in a "position" of "employment" in the agricultural section under an executive "department."

The Department of Homeland Security administers the *E-Verify* program which receives two sources of data input -- the Social Security Numident Record, which is what the SSA has on file based on an applicant's SS-5, and the United States Customs and Immigration Service, which deals with the immigration status of FOREIGN NATIONALS. If USCIS deals with the immigration status of foreign nationals who are political aliens and *ipso facto* legal aliens only, then there is absolutely no information with regard to the legal "alien" status of an American National since they are not politically foreign. Furthermore, the government's regulation of private conduct is repugnant to the Constitution. And since the First Amendment guarantees the right to freedom of association, neither the SSA nor USCIS can even address or regulate the legal "alien" status of an American National when he/she chooses a foreign domicile. Since they cannot regulate it, they simply don't address it -- out of sight, out of mind!!! This has the practical effect of creating a psychological barrier that very few are able to overcome. After all, the thought process is as follows: *"The E-Verify system does not recognize your declared status, therefore you must be wrong."* It's absolutely brilliant if I do say so myself. We tell you . . . we admire the craftiness of these banksters more and more every day!!!

USCIS Form I-9 offers the following civil status designations which are determined precisely in the same manner in which they are determined for the purposes of SSA Form SS-5.

1. "A citizen of the United States" (this would be someone described by 8 U.S.C. §1401)
2. "A noncitizen national of the United States***", or of the United States** (8 U.S.C. §1408", 8 U.S.C. §1101(a)(22)(B), 8 U.S.C. §1101(a)(21))
3. "A lawful permanent resident"
4. "An alien authorized to work" (8 U.S.C. §1101(a)(3))-- the meaning of which is dependent completely on the applicable definition of "United States"

Now, just like on SSA Form SS-5, status number 4. changes applicability just like 8 U.S.C. §1101(a)(3) can change based on the meaning of the term "United States" which is used. A political "alien" is going to be "alien" to the political nation

called the United States* and legally "alien" to ALL territory within the political jurisdiction of the nation -- United States** and United States***. However, an American National domiciled in any of the 50 states is legally "alien" to the territorial subdivision of the United States* where an Act of Congress is locally applicable, this is otherwise known as United States** and is comprised of the "States" of 8 U.S.C. §1101(a)(36) and the "outlying possessions of the United States" pursuant to 8 U.S.C. §1101(a)(29). So the civil statuses of Section 1. on USCIS Form I-9 are predicated on BOTH nationality and domicile -- and again, we see that what the Supreme Court said in *Wong Kim Ark* is true -- both nationality and domicile must be considered to ascertain the complete legal status of the person in question. Thus, the statuses on USCIS Form I-9 are determined differently for American Nationals and foreign nationals.

Now, here is the rub. Solicitors of USCIS Form I-9 will then take that form and query the DHS *E-Verify* system. If an American National domiciled in the 50 states correctly declares an I-9 status of "An alien authorized to work" commensurate with the "Legal Alien Allowed To Work" status on the SSA's Form SS-5 and with the "nonresident alien" status under Title 26, a non-conclusory response will come back from the DHS *E-Verify* system. Why? **Because DHS and USCIS deal only with LEGAL aliens who are foreign nationals**. The "alien" status of American Nationals falls 100% outside of the purview of the Federal government. This is why the reference to an A# or Admission# on USCIS Form I-9 says "if applicable." Notice how a U.S. passport is used as evidence of "identity" and "employment" eligibility -- NOT CITIZENSHIP. Furthermore, the boxed Anti-Discrimination Notice on page 1 of the USCIS Form I-9 instructions states in bold, all-caps, that an "employer" CANNOT specify which documents an "employee" may submit in the course of establishing "employment" eligibility.

So, why not just state that you are "A citizen of the United States" and then define the United States to mean the United States* or the United States***? Two reasons: 1. This would be avoiding the dual-element aspect of a person's legal status as addressed by the Supreme Court under *Wong Kim Ark*, and 2. An "employer" will not accept a IRS Form W-8 a worker with an I-9 election of "U.S. citizen" -- I know this first-hand.

I believe it is safe to say that the vast majority of Americans have snared themselves in the "U.S. person" tax trap. The Federal government provides the remedy by stating that a person may change personal information such as citizenship status in the Social Security Numident record by submitting a corrected SSA Form SS-5. This is detailed in 20 C.F.R. §422.110(a). We also know that the IRS has stated that an "individual" may change the status of his/her SSN by following the regulatory guidance of 26 C.F.R. §301.6109-1(g)(1)(i). Since we know the IRS deals with "taxpayers" and NOT non-"taxpayers," there is ONLY one way to change the status of one's SSN with the IRS, and that is to file the appropriate Forms that a "nonresident alien" "taxpayer" would file -- namely a W-4, W-8ECI or a W-8BEN with a SSN included. Had a Citizen of the 50 states NEVER declared the "U.S. citizen" federal domicile in the first place which most have done in the course of obtaining an SSN, filling out a Bank Signature Card (Substitute IRS W-9), and filing an IRS Form 1040, this "unwrapping oneself" from the damage done would never have to be done, as one would have always maintained a legislatively foreign status. But a deceived man does not know that he has been deceived. But once he figures it out, I believe he must follow the method provided by the government to remedy it. The government does provide the remedy.

A Citizen of Florida who wishes to serve his nation in the Armed Forces would obtain a SSN as a "Legal Alien Allowed to Work," file an IRS Form W-4 as a "wage" earner who is in a "position" of "service" within the "department" of Defense, and file a 1040NR on or before tax day. Then, upon returning to the private-sector, simply provide the private-sector payer with a modified W-8BEN without the SSN. The Florida Citizen's status on file with the SSA reflects his foreign civil status to the United States**, and this is further evidenced in his IRS IMF which would identify him as a "nonresident alien" "taxpayer." All of the evidence the "United States" (non-geographical sense) would otherwise use against a "U.S. person" claiming a "nonresident alien" status does not exist. In fact, it all supports his sovereign foreign status as an American National and State Citizen under the Constitution as well as the various Acts of Congress. Additionally, the private-sector payer is indemnified by the USCIS Form I-9 submission (which isn't really required anyway in the private-sector) and the W-8BEN. There is not a voluntary W-4 agreement in place pursuant to 26 U.S.C. §3402(p)(3), thus the worker is not part of "payroll," but is nothing more than a contractor who receives non-taxable personal payments from the company's 'accounts payable' pot of money. Of course, this "nonresident alien" may of course still be a "taxpayer" due to "United States" sourced payments received from a military retirement (IRS Form 1099R), and Social Security Payments (if applied for and received, SSA Form SS-1042-S). Because he is a "nonresident alien," his "United States" sourced payments are of course taxed, but in his private life, any payment he receives constitutes a foreign estate, the taxation of which must be accomplished through the process of apportionment pursuant to Art I, Sec 9, Cl 4.

Be certain, the SSA Form SS-5, USCIS Form I-9, and the "U.S. Citizen" ruse is designed to box people into a federal "United States**" domicile. 99.99% of the people don't understand the Fourteenth Amendment or the complexities of civil

status and how it is established based on both nationality and domicile. For this reason, the matrix tax system is protected by those who feed off of it. The government has provided everyone with the remedy. But it involves many government agencies and a complete understanding of how information is shared between agencies, what applies when and how, and also knowing when it doesn't. Furthermore, one has to be able to articulate this to others so that they also feel indemnified in the process.

For further information about the subjects in this section, see:

Developing Evidence of Citizenship and Sovereignty Course, Form #12.002 http://sedm.org/Forms/FormIndex.htm

14. ANSWERING QUESTIONS FROM THE GOVERNMENT ABOUT YOUR CITIZENSHIP SO AS TO PROTECT YOUR SOVEREIGN STATUS

When a federal officer asks you if you are a "citizen", consider the context! The only basis for him asking this is *federal law*, because he isn't bound by state law. If you tell him you are a "citizen" or a "U.S. citizen", then indirectly, you are admitting that you are subject to federal law, because that's what it means to be a "citizen" under federal law! Watch out! Therefore, as people born in and domiciled within a state of the Union on land that is not federal territory, we need to be very careful how we describe ourselves on government forms. Below is what we should say in each of the various contexts to avoid misleading those asking the questions on the forms. In this context, let's assume you were born in California and are domiciled there. This guidance also applies to questions that officers of the government might ask you in each of the two contexts as well:

Table 16: Describing your citizenship and status on government forms

		Context	
#	*Question on form*	*State officer or form*	*Federal officer or form*
1	Are you a "citizen"?	Yes. Of California, but not the "State of California".	No. Not under federal law.
2	Are you a "national"?	Yes. Of California, but not the "State of California".	Yes. I'm a "national of the United States[***] *of America*" under 8 U.S.C. §1101(a)(21)
3	Are you a "U.S. citizen"	No. I'm a California "citizen" or simply a "national"	No. I'm a California citizen or simply a "national". I am *not* a federal "citizen" because I don't maintain a domicile on federal territory.
4	Are you subject to the political jurisdiction of the United States[**]?	Yes. I'm a state elector who influences federal elections indirectly by the representatives I elect.	Yes. I'm a state elector who influences federal elections indirectly by the representatives I elect.
5	Are you subject to the legislative jurisdiction of the United States[**]?	No. I am only subject to the legislative jurisdiction of California but not the "State of California". The "State of" California is a corporate subdivision of the federal government that only has jurisdiction in federal areas within the state.	No. I am only subject to the laws and police powers of California but not the State of California, and not the federal government, because I don't maintain a domicile on federal territory subject to "its" jurisdiction.
6	Are you a "citizen of the United States[***]" under the Fourteenth Amendment?	Yes, but under federal law, I'm a "national". Being a "citizen" under state law doesn't make me subject to federal legislative jurisdiction and police powers. That status qualifies me to vote in any state election, but doesn't make me subject to federal law.	Yes, but under federal law, I'm a "national". Being a "citizen" under state law doesn't make me subject to federal legislative jurisdiction and police powers. That status qualifies me to vote in any state election, but doesn't make me subject to federal law.

Below is a sample interchange from a deposition held by a U.S. attorney against a sui juris litigant who knows his rights and his citizenship status. The subject is the domicile and citizenship of the litigant. This dialog helps to demonstrate how

to keep the discussion focused on the correct issues and to avoid getting too complicated. If you are expecting to be called into a deposition by a U.S. attorney, we strongly suggest rehearsing the dialog below so that you know it inside and out:

Questions 1: Please raise your right hand so you can take the required oath.
Answer 1: I'm not allowed to swear an oath as a Christian. Jesus forbid the taking of oaths in Matt. 5:33-37. The courts have said that I can substitute an affirmation for an oath, and that I can freely prescribe whatever I want to go into the affirmation.

> *[8:222] Affirmation: A witness may testify by affirmation rather than under oath. An affirmation 'is simply a solemn undertaking to tell the truth .' [See FRE 603, Acv. Comm. Notes (1972); FRCP 43(d); and Ferguson v. Commissioner of Internal Revenue (5th Cir. 1991) 921 F.2d. 488, 489—affirmation is any form or statement acknowledging 'the necessity for telling the truth'*
>
> *[. . .]*
>
> *[8:224] 'Magic words' not required: A person who objects to taking an 'oath' may pledge to tell the truth by any 'form or statement which impresses upon the mind and conscience of a witness the necessity for telling the truth.' [See FRE 603, Adv. Comm. Notes (1972)—'no special verbal formula is required"; United States v. Looper (4th Cir. 1969), 419 F.2d. 1405, 1407; United States v. Ward (9th Cir. 1992), 989 F.2d. 1015, 1019] [Federal Civil Trials and Evidence (2005), Rutter Group, pp. 8C-1 to 8C-2]*

Questions 2: Please provide or say your chosen affirmation
Answer 2: Here is my affirmation:

> *"I promise to tell the truth, the whole truth, and nothing but the truth. Do not interrupt me at any point in this deposition or conveniently destroy or omit the exhibits I submit for inclusion in the record because you will cause me to commit subornation of perjury in violation of 18 U.S.C. §1622 and be guilty of witness tampering in violation of 18 U.S.C. §1512. This deposition constitutes religious and political beliefs and speech that are NOT factual and not admissible as evidence pursuant to Federal Rule of Evidence 610 if any portion of it is redacted or removed from evidence or not allowed to be examined or heard in its entirety by the jury or judge. It is ONLY true if the entire thing can be admitted and talked about and shown to the jury or fact finder at any trial that uses it.*
>
> *Non-acceptance of this affirmation or refusal to admit all evidence submitted during this deposition into the record by the court shall constitute:*
>
> 1. *Breach of contract (this contract).*
> 2. *Compelled association with a foreign tribunal in violation of the First Amendment and in disrespect of the choice of citizenship and domicile of the deponent.*
> 3. *Evidence of unlawful duress upon the deponent.*
> 4. *Violation of this Copyright/User/Shrink wrap license agreement applying to all materials submitted or obtained herein.*
>
> *The statements, testimony, and evidence herein provided impose a license agreement against all who use it. The deposer and the government, by using any portion of this deposition as evidence in a civil proceeding,, also agree to grant witness immunity to the deponent in the case of any future criminal proceeding which might use it pursuant to 18 U.S.C. §6002.*
>
> *Any threats of retaliation or court sanctions or punishment because of this Affirmation shall also constitute corruptly threatening and tampering with a witness in violation of 18 U.S.C. §1512.*
>
> *This affirmation is an extension of my right to contract guaranteed under Article 1, Section 10 of the United States Constitution and may not be interfered with by any court of the United States.*
>
> *I am appearing here today as a fiduciary, foreign ambassador, minister of a foreign state, and a foreign government, God's government on earth. The ONLY civil laws which apply to this entire proceeding are the laws of my domicile, being God's Kingdom and the Holy Bible New King James Version, pursuant to Federal Rule of Civil Procedure 17(b) and Federal Rule of Civil Procedure 44.1. The Declaration of Independence says that all just powers of government derive from the consent of the governed, and the ONLY laws that I consent to are those found in the Holy Bible. Domicile is the method of describing the laws that a person voluntarily consents to, and the Bible forbids me to consent to the jurisdiction of any laws other than those found in the Holy Bible.*

Questions 3: Where do you live
Answer 3: In my body.

Question 4: Where does your body sleep at night?
Answer 4: In a bed.

Question 5: Where is the bed geographically located?
Answer 5: On the territory of my Sovereign, who is God. The Bible says that God owns all the Heavens and the Earth, which leaves nothing for Caesar to rule. See Gen. 1:1, Psalm 89:11-13, Isaiah 45:12, Deut. 10:14. You're trying to create a false presumption that I have allegiance to you and must follow your laws because I live on your territory. It's *not* your territory. God is YOUR landlord, and if my God doesn't exist, then the government doesn't exist either because they are *both* religions and figments of people's imagination. You can't say that God doesn't exist without violating the First Amendment and disestablishing my religion and establishing your own substitute civil religion called "government". What you really mean to ask is what is my domicile because that is the origin of all of your civil jurisdiction over me, now isn't it?

Questions 6: Where is your domicile?
Answer 6: My domicile establishes to whom I owe exclusive allegiance, and that allegiance is exclusively to God, who is my ***ONLY*** King, Lawgiver, and Judge. Isaiah 33:22. The Bible forbids me to have allegiance to anyone but God or to nominate a King or Ruler to whom I owe allegiance or obedience. See 1 Sam. 8:4-8 and 1 Sam. 12. Consequently, the only place I can have a domicile is in God's Kingdom on Earth, and since God owns all the earth, I'm a citizen of Heaven and not any man-made government, which the Bible confirms in Phil. 3:20. You're trying to recruit me to commit idolatry by placing a civil ruler above my allegiance to God, which is the worst sin of all documented in the Bible and violates the first four commandments of the Ten Commandments. The Bible also says that I am a pilgrim and stranger and sojourner on earth who cannot be conformed to the earth, and therefore cannot have a domicile within any man-made government, but only God's government. Hebrews 11:13, 1 Pet. 2:1, Romans 12:2.

Questions 7: Are you a "U.S. citizen"?
Answer 7: Which of the three "United States" do you mean? The U.S. Supreme Court identified three distinct definitions of "United States" in Hooven & Allison Co. v. Evatt, 324 U.S. 652 (1945)? If there are three different "United States", then it follows that there are three different types of "U.S. citizens", now doesn't it?

Questions 8: You don't know which one of the three are most commonly used on government forms?
Answer 8: That's not the point here. You are the moving party and you have the burden of proof. You are the one who must define exactly what you mean so that I can give you an ***unambiguous*** answer that is consistent with prevailing law. I'm not going to do your job for you, and I'm not going to encourage injurious presumptions about what you mean by the audience who will undoubtedly read this deposition. Presumption is a biblical sin. See Numbers 15:30, New King James version. I won't sit here and help you manufacture presumptions about my status that will prejudice my God given rights.

Questions 9: Are you a "resident" of the United States?
Answer 9: A "resident" is an alien with a domicile within your territory. I don't have a domicile within any man-made government so I'm not a "resident" ANYWHERE. I am not an "alien" in relation to you because I was born here. That makes me a "national" pursuant to 8 U.S.C. §1101(a)(21) but not a statutory "citizen" as defined in 8 U.S.C. §1401. All statutory citizens are persons born somewhere in the United States and who have a domicile on federal territory, and I'm NOT a statutory "citizen".

Questions 10: What kind of "citizen" are you?
Answer 10: I'm not a "citizen" or "resident" or "inhabitant" of any man-made government, and what all those statuses have in common is domicile within the jurisdiction of the state or forum. I already told you I'm a citizen of God's Kingdom and not Earth because that is what the Bible requires me to be as a Christian. Being a "citizen" implies a domicile within the jurisdiction of the government having general jurisdiction over the country or state of my birth. I can only be a "citizen" of one place at a time because I can only have a domicile in one place at a time. A human being without a domicile in the place that he is physically located is a transient foreigner, a stranger, and a stateless person in relation to the government of that place. That is what I am. I can't delegate any of my God-given sovereignty to you or nominate you as my protector by selecting a domicile within your jurisdiction because the Bible says I can't conduct commerce with any government and can't nominate a king or protector over or above me. Rev. 18:4, 1 Sam. 8:4-8 and 1 Sam. 12.

The Bible forbids oaths, including perjury oaths, which means I'm not allowed to participate in any of your franchises or excise taxes, submit any of your forms, or sign any contracts with you that would cause a surrender of the sovereignty God gave me as his fiduciary and "public officer". See Matt. 5:33-37. I also can't serve as your "public officer", which is what all of your franchises do to me, because no man can serve two masters. Luke 16:13. I have no delegated authority from the sovereign I represent here today, being God, to act as your agent, fiduciary, or public officer, all of which is what a "taxpayer" is.

> *"You were bought at a price;* ***do not become slaves of men*** *[and remember that government is made up of men]."*
> *[1 Cor. 7:23, Bible, NKJV]*

> *"We ought to obey God rather than men."*
> *[Acts 5:27-29, Bible, NKJV]*

Questions 11: Who issued your passport?

Answer 11: The "United States ***of America***" issued my passport, not the "United States". The Articles of Confederation identify the United States of America as the confederation of states of the Union, not the government that was created to serve them called the "United States". See United States v. Curtiss-Wright Export Corporation, 299 U.S. 304 (1936). The only thing you need to get a passport is allegiance to "United States" pursuant to 22 U.S.C. §212. The "United States" they mean in that statute isn't defined and it could have one of three different meanings. Since the specific meaning is not identified, I define "allegiance to the United States" as being allegiance to the people in the states of the Union and NOT the pagan government that serves them in the District of Criminals. No provision within the U.S. Code says that I have to be a statutory "U.S. citizen" pursuant to 8 U.S.C. §1401 in order to obtain a passport or that possession of a passport infers or implies that I am a statutory "U.S. citizen". A passport is *not* proof of citizenship, but only proof of ***allegiance***. The only citizenship status that carries with it exclusively allegiance is that of a "national" but not a "citizen" pursuant to 8 U.S.C. §1101(a)(21). That and ***only*** that is what I am as far as citizenship. There is no basis to imply or infer anything more than that about my citizenship.

> *"...the only means by which an American can lawfully leave the country or return to it - absent a Presidentially granted exception - is with a* passport*... As a travel control document,* ***a passport is both proof of identity and proof of allegiance to the United States.*** *Even under a travel control statute, however, a* passport *remains in a sense a document by which the Government vouches for the bearer and for his conduct. "*
> *[Haig v. Agee, 453 U.S. 280 (1981)]*

Questions 12: Are you the "citizen of the United States" described in section 1 of the Fourteenth Amendment?

Answer 12: The term "United States" as used in the Constitution signifies the states of the Union and excludes federal territories and possessions.

> *"The earliest case is that of Hepburn v. Ellzey, 2 Cranch, 445, 2 L.Ed. 332, in which this court held that, under that clause of the Constitution limiting the jurisdiction of the courts of the United States to controversies between citizens of different states, a citizen of the District of Columbia could not maintain an action in the circuit court of the United States. It was argued that the word 'state.' in that connection, was used simply to denote a distinct political society. 'But,' said the Chief Justice, 'as the act of Congress obviously used the word 'state' in reference to that term as used in the Constitution, it becomes necessary to inquire whether Columbia is a state in the sense of that instrument.* ***The result of that examination is a conviction that the members of the American confederacy only are the states contemplated in the Constitution , . . . and excludes from the term the signification attached to it by writers on the law of nations.' This case was followed in Barney v. Baltimore, 6 Wall. 280, 18 L.Ed. 825, and quite recently in Hooe v. Jamieson, 166 U.S. 395 , 41 L.Ed. 1049, 17 Sup.Ct.Rep. 596. The same rule was applied to citizens of territories in New Orleans v. Winter, 1 Wheat. 91, 4 L.Ed. 44, in which an attempt was made to distinguish a territory from the District of Columbia. But it was said that 'neither of them is a state in the sense in which that term is used in the Constitution.'*** *In Scott v. Jones, 5 How. 343, 12 L.Ed. 181, and in Miners' Bank v. Iowa ex rel. District Prosecuting Attorney, 12 How. 1, 13 L.Ed. 867, it was held that under the judiciary act, permitting writs of error to the supreme court of a state in cases where the validity of a state statute is drawn in question, an act of a territorial legislature was not within the contemplation of Congress."*
> *[Downes v. Bidwell, 182 U.S. 244 (1901)]*

Therefore, the term "citizen of the United States" as used in section 1 of the Fourteenth Amendment implies a citizen of one of the 50 states of the Union who was NOT born within or domiciled within any federal territory or possession.

*"The 1st section of the 14th article [Fourteenth Amendment], to which our attention is more specifically invited, opens with a definition of citizenship—not only citizenship of the United States[***], but citizenship of the states.* ***No such definition was previously found in the Constitution, nor had any attempt been made to define it by act of Congress.*** *It had been the occasion of much discussion in the courts, by the executive departments and in the public journals.* ***It had been said by eminent judges that no man was a citizen of the United States[***] except as he was a citizen of one of the states composing the Union. Those therefore, who had been born and resided always in the District of Columbia or in the territories, though within the United States[*], were not citizens****."*
[Slaughter-House Cases, 83 U.S. (16 Wall.) 36, 21 L.Ed. 394 (1873)]

*"****It is impossible*** *to construe the words 'subject to the jurisdiction thereof,' in the opening sentence [of the Fourteenth Amendment, Section 1], as less comprehensive than the words 'within its jurisdiction,' in the concluding sentence of the same section; or* ***to hold that persons 'within the jurisdiction' of one of the states of the Union are not 'subject to the jurisdiction of the United States[***]****.'"*
[U.S. v. Wong Kim Ark, 169 U.S. 649, 18 S.Ct. 456; 42 L.Ed. 890 (1898), emphasis added]

A constitutional citizen, which is what you are describing, is not a statutory "U.S. citizen" pursuant to 8 U.S.C. §1401 and may not describe himself as a "citizen" of any kind on any federal form. If I have ever done that, I was in error and you should disregard any evidence in your possession that I might have done such a thing because now I know that it was wrong.

15. ARGUING OR EXPLAINING YOUR CITIZENSHIP IN LITIGATION AGAINST THE GOVERNMENT

A very common misconception about citizenship employed by IRS and Department of Justice Attorneys in the course of litigation is the following false statement:

"Constitutional citizens born within states of the Union and domiciled there are statutory "citizens of the United States" pursuant to 8 U.S.C. §1401, the Internal Revenue Code at 26 C.F.R. §1.1-1(c), 26 U.S.C. §911."

The reasons why the above is false are explained elsewhere in this document. An example of such false statements is found in the Department of Justice Criminal Tax Manual (1994), Section 40.05[7]:

40.05[7] Defendant Not A "Person" or "Citizen"; District Court Lacks Jurisdiction Over Non-Persons and State Citizens

40.05[7][a] Generally

Another popular protester argument is the contention that the protester is not subject to federal law because he or she is not a citizen of the United States, but a citizen of a particular "sovereign" state. This argument seems to be based on an erroneous interpretation of 26 U.S.C. §3121(e)(2), which states in part: "The term 'United States' when used in a geographical sense includes the Commonwealth of Puerto Rico, the Virgin Islands, Guam, and American Samoa." The "not a citizen" assertion directly contradicts the Fourteenth Amendment, which states "all persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the state wherein they reside." The argument has been rejected time and again by the courts. See United States v. Cooper, 170 F.3d. 691, 691(7th Cir. 1999) (imposed sanctions on tax protester defendant making "frivolous squared" argument that only residents of Washington, D.C. and other federal enclaves are citizens of United States and subject to federal tax laws); United States v. Mundt, 29 F.3d. 233, 237 (6th Cir. 1994) (rejected "patently frivolous" argument that defendant was not a resident of any "federal zone" and therefore not subject to federal income tax laws); United States v. Hilgeford, 7 F.3d. 1340, 1342 (7th Cir. 1993) (rejected "shop worn" argument that defendant is a citizen of the "Indiana State Republic" and therefore an alien beyond the jurisdictional reach of the federal courts); United States v. Gerads, 999 F.2d. 1255, 1256-57 (8th Cir. 1993) (imposed $1500 sanction for frivolous appeal based on argument that defendants were not citizens of the United States but instead "Free Citizens of the Republic of Minnesota" not subject to taxation); United States v. Silevan, 985 F.2d. 962, 970 (8th Cir. 1993) (rejected as "plainly frivolous" defendant's argument that he is not a "federal citizen"); United States v. Jagim, 978 F.2d. 1032, 1036 (9th Cir. 1992) (rejected "imaginative" argument that defendant cannot be punished under the tax laws of the United States because he is a citizen of the "Republic" of Idaho currently claiming "asylum" in the "Republic" of Colorado) United States v. Masat, 948 F.2d. 923, 934 (5th Cir. 1991); United States v. Sloan, 939 F.2d. 499, 500-01 (7th Cir. 1991) ("strange argument" that defendant is not subject to jurisdiction of the laws of the United States because he is a "freeborn natural individual" citizen of the State of Indiana rejected); United States v. Price, 798 F.2d. 111, 113 (5th Cir. 1986) (citizens of the State of Texas are subject to the provisions of the Internal Revenue Code).

[SOURCE: http://www.usdoj.gov/tax/readingroom/2001ctm/40ctax.htm#40.05[7]]

Notice the self-serving and devious "word or art" games and "word tricks" played by the Dept. of Injustice in the above:

1. They deliberately don't show you the WHOLE definition in 26 U.S.C. §3121(e), which would open up a HUGE can of worms that they could never explain in a way that is consistent with everything that people know other than the way it is explained here.
2. They FALSELY and PREJUDICIALLY "presume" that there is no separation of powers between federal territory and states of the Union, which is a violation of your rights and Treason punishable by death. The separation of powers is the very foundation of the Constitution, in fact. See:

 Government Conspiracy to Destroy the Separation of Powers, Form #05.023
 http://sedm.org/Forms/FormIndex.htm
3. They deliberately refuse to recognize that the context in which the term "United States" is used determines its meaning.
4. They deliberately refuse to recognize that there are THREE definitions of the term "United States" according to the U.S. Supreme Court in section 1.4 earlier.
5. They deliberately refuse to reconcile ***which*** of the three mutually exclusive and distinct definitions of "United States" applies in each separate context and WHY they apply based on the statutes they seek to enforce.
6. They deliberately refuse to recognize or admit that the term "United States" as used in the Constitution includes states of the Union and excludes federal territory.
7. They deliberately refuse to apply the rules of statutory construction to determine what is "included" within the definition of "United States" found in 26 U.S.C. §3121(e)(2). They don't want to admit that the definition is ALL inclusive and limiting, because then they couldn't collect any tax, even though it is.

> *TITLE 26 > Subtitle C > CHAPTER 21 > Subchapter C > § 3121*
> *§ 3121. Definitions*
>
> *(e) State, United States, and citizen*
>
> *For purposes of this chapter—*
>
> *(1) State*
>
> *The term **"State" includes the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, and American Samoa.** [WHERE are the states of the Union?]*
>
> *(2) United States*
>
> *The term "United States" when used in a geographical sense includes the Commonwealth of Puerto Rico, the Virgin Islands, Guam, and American Samoa. [WHERE are the states of the Union?]*
>
> ---
>
> *"**When a statute includes an explicit definition, we must follow that definition, even if it varies from that term's ordinary meaning.** Meese v. Keene, 481 U.S. 465, 484-485 (1987) ("It is axiomatic that the statutory definition of the term excludes unstated meanings of that term"); Colautti v. Franklin, 439 U.S. at 392-393, n. 10 ("As a rule, `a definition which declares what a term "means" . . . excludes any meaning that is not stated'"); Western Union Telegraph Co. v. Lenroot, 323 U.S. 490, 502 (1945) ; Fox v. Standard Oil Co. of N.J., 294 U.S. 87, 95-96 (1935) (Cardozo, J.); see also 2A N. Singer, Sutherland on Statutes and Statutory Construction § 47.07, p. 152, and n. 10 (5th ed. 1992) (collecting cases). That is to say, the statute, read "as a whole," post at 998 [530 U.S. 943] (THOMAS, J., dissenting), leads the reader to a definition. That definition does not include the Attorney General's restriction -- "the child up to the head." Its words, "substantial portion," indicate the contrary."*
> *[Stenberg v. Carhart, 530 U.S. 914 (2000)]*
>
> *"**It is axiomatic that the statutory definition of the term excludes unstated meanings of that term**. Colautti v. Franklin, 439 U.S. 379, 392, and n. 10 (1979). Congress' use of the term "propaganda" in this statute, as indeed in other legislation, has no pejorative connotation. **As judges, it is our duty to [481 U.S. 485] construe legislation as it is written, not as it might be read by a layman, or as it might be understood by someone who has not even read it.**"*
> *[Meese v. Keene, 481 U.S. 465, 484 (1987)]*
>
> *"As a rule, `**a definition which declares what a term "means" . . . excludes any meaning that is not stated**'"*
> *[Colautti v. Franklin, 439 U.S. 379 (1979), n. 10]*

Therefore, if you are going to argue citizenship in federal court, we STRONGLY suggest the following lessons learned by reading the Department of Justice Criminal Tax Manual article above:

1. Include all the language contained in the following in your pleadings:

 Rules of Presumption and Statutory Interpretation, Litigation Tool #01.006
 http://sedm.org/Litigation/LitIndex.htm

2. If someone from the government asks you whether you are a "citizen of the United States" or a "U.S. citizen":
 2.1. Cite the *three* definitions of the "United States" explained by the Supreme Court and then ask them to identify which of the *three* definitions of "U.S." they mean in the 1.4 earlier. Tell them they can choose ONLY one of the definitions.
 2.1.1. The COUNTRY "United States*".
 2.1.2. Federal territory and no part of any state of the Union "United States**"
 2.1.3. States of the Union and no part of federal territory "United States***"
 2.2. Ask them WHICH of the three types of statutory citizenship do they mean in Title 8 of the U.S. Code and tell them they can only choose ONE:
 2.2.1. 8 U.S.C. §1401 statutory "citizen of the United States**". Born in and domiciled on a federal territory and possession and NOT a state of the Union.
 2.2.2. 8 U.S.C. §1408 and 8 U.S.C. §1101(a)(22)(B) statutory "national of the United States**". Born in and domiciled in American Samoa or Swains Island.
 2.2.3. 8 U.S.C. §1101(a)(21) "non-citizen national" of the "United States***". Born in and domiciled in a state of the Union and not subject to federal legislative jurisdiction but only subject to political jurisdiction.
 2.3. Hand them the following short form printed on double-sided paper and signed by you. Go to section 7 and point to the "national" status in diagram. Tell them you want this in the court record or administrative record and that they agree with it if they can't prove it wrong with evidence.

 Citizenship, Domicile, and Tax Status Options, Form #10.003
 http://sedm.org/Forms/FormIndex.htm

 If you want more details on how to field questions about your citizenship, fill out government forms describing your citizenship, or rebut arguments that you are wrong about your citizenship, we recommend sections 11 through 13 of the following:

 Why You are a "national", "state national", and Constitutional but not Statutory Citizen, Form #05.006
 http://sedm.org/Forms/FormIndex.htm

3. If your opponent won't answer the above questions, then forcefully accuse him of engaging in TREASON by trying to destroy the separation of powers that is the foundation of the United States Constitution. Tell them you won't help them engage in treason or undermine the main protection for your constitutional rights, which the Supreme Court said comes from the separation of powers. Then direct them at the following document that proves the existence of such TREASON.

 Government Conspiracy to Destroy the Separation of Powers, Form #05.023
 http://sedm.org/Forms/FormIndex.htm

4. Every time you discuss citizenship with a government representative, emphasize the three definitions of the "United States" explained by the Supreme Court and that respecting and properly applying these definitions consistently is how we respect and preserve the separation of powers. Those definitions appear in section 1.4 earlier.
5. Admit to being a *constitutional* "citizen of the United States***" but *not* a *statutory* "citizen of the United States**". This will invalidate almost all the case law they cite and force them to expose their presumptions about WHICH "United States" they are trying to corn-hole you into.
6. Emphasize that the context in which the term "United States" is used determines WHICH of the *three* definitions applies and that there are two main contexts.

> *"It is clear that Congress, as a legislative body, exercise two species of legislative power: the one, limited as to its objects, but extending all over the Union: the other, an absolute, exclusive legislative power over the District of Columbia. The preliminary inquiry in the case now before the Court, is, by virtue of which of these authorities was the law in question passed?"*
> *[Cohens v. Virginia,, 19 U.S. 264, 6 Wheat. 265; 5 L.Ed. 257 (1821)]*

 6.1. The Constitution: states of the Union and no part of federal territory. This is the "Federal government"
 6.2. Federal statutory law: Community property of the states that includes federal territory and possession that is no party of any state of the Union. This is the "National government".

7. Emphasize that you can only be a "citizen" in ONE of the TWO unique geographical places above at a time because you can only have a domicile in ONE of the two places at a time. Another way of saying this is that you can only have allegiance to ONE MASTER at a time and won't serve two masters, and domicile is based on allegiance.

> *"**domicile**. A person's legal home. That place where a man has his true, fixed, and **permanent home** and principal establishment, and to which whenever he is absent he has **the intention of** returning. Smith v. Smith, 206 Pa.Super. 310, 213 A.2d. 94. Generally, physical presence within a state and **the intention** to make it one's home are the requisites of establishing a "domicile" therein. The permanent residence of a person or the place to which he **intends to** return even though he may actually reside elsewhere. A person may have more than one residence but only one domicile. **The legal domicile of a person is important since it, rather than the actual residence, often controls the jurisdiction of the taxing authorities and determines where a person may exercise the privilege of voting and other legal rights and privileges.**"*
> *[Black's Law Dictionary, Sixth Edition, p. 485]*

> *"**Thus, the Court has frequently held that domicile or residence, more substantial than mere presence in transit or sojourn, is an adequate basis for taxation, including income, property, and death taxes**. Since the Fourteenth Amendment makes one a citizen of the state wherein he resides, **the fact of residence creates universally reciprocal duties of protection by the state and of allegiance and support by the citizen. The latter obviously includes a duty to pay taxes, and their nature and measure is largely a political matter.** Of course, the situs of property may tax it regardless of the citizenship, domicile, or residence of the owner, the most obvious illustration being a tax on realty laid by the state in which the realty is located."*
> *[Miller Brothers Co. v. Maryland, 347 U.S. 340 (1954)]*

8. Emphasize that it is a violation of due process of law and an injury to your rights for anyone to PRESUME anything about which definition of "United States" applies in a given context or which type of "citizen" you are. EVERYTHING must be supported with evidence as we have done here.

> *(1) [8:4993] **Conclusive presumptions affecting protected interests:** A conclusive presumption may be defeated where its application would impair a party's constitutionally-protected liberty or property interests. In such cases, conclusive presumptions have been held to violate a party's due process and equal protection rights. [Vlandis v. Kline (1973) 412 U.S. 441, 449, 93 S.Ct 2230, 2235; Cleveland Bed. of Ed. v. LaFleur (1974) 414 US 632, 639-640, 94 S.Ct. 1208, 1215-presumption under Illinois law that unmarried fathers are unfit violates process]*
> *[Rutter Group Practice Guide-Federal Civil Trials and Evidence, paragraph 8:4993, page 8K-34]*

9. Emphasize that applying the CORRECT definition is THE MOST IMPORTANT JOB of the court, as admitted by the U.S. Supreme Court, in order to maintain the separation of powers between the federal zone and the states of the Union, and thereby protect your rights:

> *"The idea prevails with some, indeed it has found expression in arguments at the bar, that we have in this country substantially two national governments; one to be maintained under the Constitution, with all of its restrictions; the other to be maintained by Congress outside the independently of that instrument, by exercising such powers [of absolutism] as other nations of the earth are accustomed to.. **I take leave to say that, if the principles thus announced should ever receive the sanction of a majority of this court, a radical and mischievous change in our system of government will result. We will, in that event, pass from the era of constitutional liberty guarded and protected by a written constitution into an era of legislative absolutism.. It will be an evil day for American liberty if the theory of a government outside the supreme law of the land finds lodgment in our constitutional jurisprudence. No higher duty rests upon this court than to exert its full authority to prevent all violation of the principles of the Constitution.**"*
> *[Downes v. Bidwell, 182 U.S. 244 (1901)]*

10. Emphasize that anything your opponent does not rebut with evidence under penalty of perjury is admitted pursuant to Federal Rule of Civil Procedure 8(b)(6) and then serve them with a Notice of Default on the court record of what they have admitted to by their omission in denying.
11. Focus on WHICH "United States" is implied in the definitions within the statute being enforced.
12. Avoid words that are not used in statutes, such as "state citizen" or "sovereign citizen" or "natural born citizen", etc. because they aren't defined and divert attention away from the core definitions themselves.
13. Rationally apply the rules of statutory construction so that your opponent can't use verbicide or word tricks to wiggle out of the statutory definitions with the word "includes". See:

Meaning of the Words "includes" and "including", Form #05.014 http://sedm.org/Forms/FormIndex.htm

14. State that all the cases cited in the Criminal Tax Manual are inapposite, because:
 14.1. You aren't arguing whether you are a "citizen of the United States", but whether you are a STATUTORY "citizen of the United States".

14.2. They don't address the distinctions between the ***statutory*** and ***constitutional*** definitions nor do they consistently apply the rules of statutory construction.

15. Emphasize that a refusal to stick with the legal definitions and include only what is expressly stated and not "presume" or read anything into it that isn't there is an attempt to destroy the separation of powers and engage in a conspiracy against your Constitutionally protected rights.

> *"Judicial verbicide is calculated to convert the Constitution into a worthless scrap of paper and to replace our government of laws with a judicial oligarchy."*
> *[Senator Sam Ervin, during Watergate hearing]*

> *"When words lose their meaning, people will lose their liberty."*
> *[Confucius, 500 B.C.]*

If you would like a more thorough treatment of the subject covered in this section, we recommend section 5.1 of the following:

Flawed Tax Arguments to Avoid, Form #08.004 http://sedm.org/Forms/FormIndex.htm

16. QUESTIONS AND ANSWERS

16.1 Are those Born Abroad to American National Parents or those who Marry American Nationals still "non-citizen nationals"?

QUESTION:

A friend of mine was born in another country while her American parents were missionaries overseas. I have read some references on your website about children born to American parents being citizens, but that's all it says. Does anyone have any more specific cites to backup that statement? Specifically, here are the questions I have:

1. Is she considered "natural-born"? Or does this term even matter?
2. Is there a procedure she must follow to be considered an American and not run the risk of being deported when she sends in the *Legal Notice of Change in Domicile/Citizenship Records and Divorce from the United States*, Form #10.001?
3. I've noticed that at least some of the forms on your website contain statements that "I was born in one of the 50 union States", so what would be the proper wording? (Something like "I was born in another country to American parents"?)
4. Will she be able to fully gain/regain her Sovereignty as an American national, or is this hopeless for all people born in other countries?
5. Where does the INS, etc. really come into the picture? Should all of this only be done through her State's immigration laws, or how is it really supposed to work?
6. She is recently married to an American born in a union State. Would that help/change her status in any way? (Ignoring the whole marriage license issue which is a whole other can of worms.)

ANSWER:

Those born to American nationals while overseas become American nationals the same as those born within a state of the Union under the Fourteenth Amendment.

> *7 FAM 1131.6 Nature of Citizenship Acquired by Birth Abroad to U.S. Citizen Parents*
> *7 FAM 1131.6-1 Status Generally*
> *(TL:CON-68; 04-01-1998)*

> *Persons born abroad who acquire U.S. citizenship at birth by statute generally have the same rights and are subject to the same obligations as citizens born in the United States who acquire citizenship pursuant to the 14th Amendment to the Constitution. One exception is that they may be subject to citizenship retention requirements.*
> *[7 Foreign Affairs Manual (F.A.M.), Section 1131.6: Nature of Citizenship Acquired by Birth Abroad to U.S. Citizen Parents]*

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Now some answers to your specific questions:

1. A "natural born" American is one born anywhere in the United States*, whether federal territory or a state of the Union. She is not "natural born" by that definition. The term doesn't matter. The only thing that matters is whether you are a constitutional or a statutory citizen, and which of the three definitions of "U.S." you claim citizenship within. The term "natural born" is not found anywhere in Title 8 of the U.S. Code or on any government form but it is found in the U.S. Constitution so it's irrelevant.

> *"It has never been determined definitively by a court whether a person who acquired U.S. citizenship by birth abroad to U.S. citizens is a natural born citizen within the meaning of Article II of the Constitution and, therefore, eligible for the Presidency."*
> *[7 Foreign Affairs Manual (F.A.M.), Section 1131.6-2: Eligibility for Presidency*
> *SOURCE: http://www.state.gov/documents/organization/86757.pdf]*

2. There are no special precautions to be taken by those who were born abroad to American parents because the *Legal Notice of Changed in Domicile/Citizenship and Divorce from the United States*, Form #10.001 does not cause abandonment of one's nationality, but their domicile on federal territory and correcting all government records to reflect that fact. Read the form and you will see that:

 Legal Notice of Change in Domicile/Citizenship Records and Divorce from the United States, Form #10.001
 http://sedm.org/Forms/FormIndex.htm

3. It is sufficient to say one is born in another country to American parents and who is therefore a non-citizen national under 8 U.S.C. §1101(a)(21) and not a statutory "U.S. citizen" pursuant to 8 U.S.C. §1401 in order to accurately describe their citizenship.
4. Those born to American parents are American nationals. American nationals include:
 4.1. Those born anywhere in the American Union.
 4.2. Those born overseas to American parents. A subset of these are describe in 8 U.S.C. §1408, but they only include those in American Samoa and Swains Island and NOT those born within a state of the Union.
 4.3. Those who are lawfully naturalized pursuant to 8 U.S.C. §1421.
 4.4. Those who start out as foreign nationals, marry an American national.

 Since all the above are equal under American law, all can be sovereign and a non-citizen national. What makes them sovereign is that they don't confuse themselves with statutory "U.S. citizens" pursuant to 8 U.S.C. §1401 or statutory "U.S. Nationals" pursuant to 8 U.S.C. §1101(a)(22)(b) and 8 U.S.C. §1408, and correct every form and information system the government has that describes their citizenship status in order to clarify this fact.
5. There is no longer an Immigration and Naturalization Service (INS). INS was replaced by U.S. Citizenship and Immigration Services (USCIS) when the Department of Homeland Security was formed with the Homeland Security Act of 2002. USCIS officially absorbed INS on March 1, 2003. The USCIS comes in because those born abroad to American Parents may be subject to what is called "retention requirements". Otherwise, their citizenship is identical to those born within a state of the Union. For details, see:

> *7 FAM 1131.7: Citizenship Retention Requirements*
> *(TL:CON-68; 04-01-1998)*
>
> *a. Persons who acquired U.S. citizenship by birth abroad were not required to take any affirmative action to keep their citizenship until May 24, 1934, when a new law imposed retention requirements on persons born abroad on or after that date to one U.S. citizen parent and one alien parent.*
>
> *b. Retention requirements continued in effect until October 10, 1978, when section 301(b) INA was repealed. Because the repeal was prospective in application, it did not benefit persons born on or after May 24, 1934, and before October 10, 1952 (see 7 FAM 1133.5-13).*
>
> *c. Persons born abroad on or after October 10, 1952, are not subject to any conditions beyond those that apply to all citizens.*
>
> *d. Persons whose citizenship ceased as a result of the operation of former section 301(b) were provided a means of regaining citizenship in March 1995 by an amendment to section 324 INA. A more detailed discussion of the retention requirements and remedies for failure to comply with them is provided in 7 FAM 1133.5.*
> *[7 Foreign Affairs Manual (F.A.M.), Section 1131.7: Citizenship Retention Requirements]*

6. Marriage only affects nationality for a spouse if that spouse started out as a foreign national, which means a national of a different country. Once they marry an American National, they can apply to be naturalized and thereby become a non-citizen national. Details are found in:

6.1. 8 C.F.R. §216.
6.2. Immigration and Nationality Act, Section 216
6.3. Immigration and Nationality Act, Section 320: Children born outside the United States and residing permanently in the United States; conditions under which citizenship automatically acquired
6.4. USCIS Form I-751: Petition to Remove Conditions on Residence. See:
6.4.1. Form I-751: http://www.uscis.gov/files/form/I-751.pdf
6.4.2. USCIS Form I-751: Petition to Remove Conditions on Residence Instructions: http://www.uscis.gov/files/form/I-751instr.pdf

For further details see:

Dept. of State Foreign Affairs Manual (FAM), Volume 7, Section 1130: Acquisition of U.S. Citizenship by Birth Abroad to U.S. Citizen Parents
http://www.state.gov/m/a/dir/regs/fam/c22164.htm

16.2 Am I a Statutory "U.S. citizen" if My Parents were in the Military and I was born Abroad?

QUESTION:

I've been doing some research on this website. I was wanting to apply for a passport as a non-citizen national. Is this possible if my father was in the U.S. Army abroad when I was born? My mom was also a school teacher (not sure if she was a teacher when I was born). Does this make me into a statutory "U.S. Citizen" pursuant to 8 U.S.C. §1401?? Seems as if it might. Can you elaborate on this subject?

ANSWER:

You should read this entire document at least once and then go back and find your status in the charts in section 11.1, Table 9. Then and only then should you be asking us questions. We aren't here to think for you, but to answer questions not already explained in this document. The answer is that:

1. All those born anywhere in the country are "nationals" as described in 8 U.S.C. §1101(a)(21).
2. Those born anywhere in the world under American law take on the nationality (e.g. "national") of their parents, and in particular their father at the time of birth. This is called "jus sanguinis" in legal jargon. Our system of citizenship is patterned after the British system in which "nationality" means "birth within allegiance to the king". The "king", in this case is "We the People" and NONE of our elected or appointed politicians. Even if your parents were statutory "U.S. citizens" at the time, they were also "nationals" pursuant to 8 U.S.C. §1401 because that is what it says in that section.
3. Whether one is also a statutory "U.S.** citizen" pursuant to 8 U.S.C. §1401 in addition to being a "U.S.** national" is determined by their domicile at any given time. Since their domicile can change and is elective, one can lose their statutory "U.S.** citizen" status pursuant to 8 U.S.C. §1401 and become a "non-citizen U.S.** national" pursuant to 8 U.S.C. §1101(a)(22)(B) and 8 U.S.C. §1452 simply by changing their domicile or making a different "election" on government forms describing their "domicile", "permanent address", or "residence".
4. Your parents were probably non-citizen nationals while abroad when you were born, regardless of what they "thought" they were. One cannot be a statutory "U.S. citizen" without a domicile on federal territory and one cannot choose a domicile or residence in a place that they have never physically been. Chances are, your parents were never physically present on federal territory before you were born and therefore couldn't practically or legally have a domicile there.
5. Therefore, you can choose to be a "national" even if your parents were statutory "U.S. citizens" when you were born. Read the above article and you will see.
6. If you would like to learn more about the affect of domicile upon one's citizenship status, see:
 Why Domicile and Becoming a "Taxpayer" Require Your Consent, Family Guardian Fellowship
 http://famguardian.org/Subjects/Taxes/Remedies/DomicileBasisForTaxation.htm

Between this document and the domicile article above, the truth should become very clear in your mind, especially after you read some of the links at the beginning of the domicile article.

Please be patient with yourself and carefully study this document. The only reason to become impatient is because you have no time to study, which is usually because of no self-discipline or an addiction to unhealthy habits and mental junk

food. As it says in the following document, quit watching mental junk food on TV, quit wasting time on unhealthy media saturation, quit surfing porn (if you are), take your television to the dump, and sit down in the quiet and clear your mind and read the word of God, and the extensive materials on this website, and your whole world view will change and you will quickly see the truth. Use the document below to guide your studies:

Path to Freedom, Form #09.015 http://sedm.org/Forms/Procs/PathToFreedom.pdf

The above document is also on the opening page of our website at the top of the page in big letters "START HERE".

http://famguardian.org

There is admittedly a lot to learn, but before your mind can even begin to learn the real truth, you must undo all the damage and lies you learned in the communist, government run propaganda academy that you picked up as you were growing up. The truth is like the parable of the mustard seed in the Bible at Matt. 13:1-9. The seed can only grow if you prepare good ground for it to germinate in. Like the gentle farmer, you must till the ground, fertilize, plant the seed, water, pull the weeds, and carefully tend it and defend it as it grows. Parents must follow the same path with their growing and maturing children.

16.3 Doesn't a "Consular Report of Birth" for a person born abroad make one into a statutory "U.S. citizen" rather than constitutional "citizen of the United States*"?

QUESTION:

I am a constitutional but not statutory citizen and have a child that was born overseas. That child was granted a **"Consular Report of Birth Abroad"** certificate. It has a number in the top right-hand corner, and even has that creepy pyramid *'Annuit Coeptis'* seal on it just like the one on the back of the dollar.

The biggest problem however is at the bottom of this certificate where it says:

> *"A Consular Report of Birth is proof of United States citizenship by law: 22 U.S.C. 2705"*
>
> *This document is on file with the government and could most certainly be used as evidence that the person to whom it applies is in fact NOT a "nonresident alien."*

How in the world is this guy going to rebut this piece of state evidence?

ANSWER:

1. 22 U.S.C. §2705 is found at:

 http://codes.lp.findlaw.com/uscode/22/38/2705

2. The context is clear from reading 22 U.S.C. §1731.

 > *22 U.S.C. §1731 : US Code - Section 1731: Protection to naturalized citizens abroad*
 >
 > *All **naturalized citizens of the United States** while in foreign countries are entitled to and shall receive from this Government the same protection of persons and property which is accorded to **native-born citizens**. [SOURCE: http://codes.lp.find...ode/22/23/1731]*

 The party described in section 2705 is a person "abroad". This same party is described in 22 U.S.C. §1731 as a "naturalized citizen of the United States" while abroad. The term "naturalization", in turn, is described as the process of making one a "national", and NOT a "citizen".

 > ***8 U.S.C. §1101(a)(23) naturalization defined***
 >
 > *(a)(23) The term "naturalization" means the conferring of **nationality***

[NOT "citizenship" or "U.S. citizenship", but "nationality", which means "national"] of a state upon a person after birth, by any means whatsoever.

Here is a definition of "nationality". Note that "citizen" in a statutory context is tied to domicile, while "citizen" in a constitutional context is tied to "nationality". Two COMPLETELY different things.

> *"**Nationality**. That quality or character which arises from the fact of a person's belonging to a nation or state. **Nationality determines the political status of the individual, especially with reference to allegiance; while domicile determines his civil status**. Nationality arises either by birth or by naturalization. See also Naturalization."*
> *[Black's Law Dictionary, Sixth Edition, p. 1025]*

The source of your confusion is caused once again and as usual, by a failure to distinguish the CONTEXT in which the word is used. Domicile is what determines your LEGAL status while place of birth establishes your POLITICAL status. A political status DOES NOT imply federal jurisdiction or legal jurisdiction, but simply a right to travel freely within the respective country.

3. The term "United States citizenship" is nowhere made equivalent to the phrase "national and citizen of the United States" as used in 8 U.S.C. §1401. It is a violation of due process to PRESUME they are the same.

4. WHICH of the three "United States" are implied in the term "United States citizenship" are not defined, and the definitions from Title 8 do not apply in Title 22. Consequently, the term can mean whatever the hearer wants it to mean. So long as you define WHICH "United States" you choose to be a member of, they can't interfere with it.

5. Until someone shows me a definition of which "United States" is implied WITHIN TITLE 22 and NOT TITLE 8, we are entitled to both define and presume that which suits our First Amendment right to politically associate.

As we have said many times before, being a "citizen" of anything is a voluntary choice that is a product of your First Amendment right to associate. ONLY YOU get to define what groups you want to join and therefore WHICH of the three "United States" you want to be a citizen and a member of. Furthermore, you can change your mind after you know that there are multiple choices instead of only one choice. You change your mind by how you describe yourself on government forms. The only thing you need in order to get a passport is to have allegiance, and the only status under Title 8 that carries with it EXCLUSIVELY allegiance is that of a "national".

17. REBUTTED ARGUMENTS AGAINST THOSE WHO DISAGREE WITH THIS PAMPHLET

A few people have disagreed with our position on the 'national" and "state national" citizenship status of persons born in states of the Union. These people have sent us what at first glance might "appear" to be contradictory information from websites maintained by the federal government. We thank them for taking the time to do so and we will devote this section to rebutting all of their incorrect views.

17.1 Contradictions in Government publications

Below are some of the arguments against our position on "state national" citizenship that we have received and enumerated to facilitate rebuttal. We have boldfaced the relevant portions to make the information easier to spot.

1. U.S. Supreme Court, *Miller v. Albright*, 523 U.S. 420 (1998), footnote #2:

> *"2. Nationality and citizenship are not entirely synonymous; one can be a national of the United States[**] and yet not a citizen. 8 U.S.C. §1101(a)(22). The distinction has little practical impact today, however, for the only remaining noncitizen nationals [only under federal law, not state law] are residents of American Samoa and Swains Island.* See *T. Aleinikoff, D. Martin, & H. Motomura, Immigration: Process and Policy 974-975, n. 2 (3d ed. 1995). The provision that a child born abroad out of wedlock to a United States[**] citizen mother gains her nationality has been interpreted to mean that the child gains her citizenship as well; thus, if the mother is not just a United States[**] national, but also a United States[**] citizen, the child is a United States[**] citizen.* See *7 Gordon § 93.04[2][b], p. 93-42;* id., *§ 93.04[2][d][viii], p. 93-49."*
> *[Miller v. Albright, 523 U.S. 420 (1998)]*

2. Dept. of State Foreign Affairs Manual (FAM), Volume 7, Section 1111.3 at http://foia.state.gov/REGS/Search.asp says the following about nationals but not citizens of the United States**:

> *c. Historically, Congress, through statutes, granted U.S. nationality, but not citizenship, to persons born or inhabiting territory acquired by the United States[**] through conquest or treaty. At one time or other natives and certain other residents of Puerto Rico, the U.S. Virgin Islands, the Philippines, Guam, and the Panama Canal Zone were U.S. non-citizen nationals.*
>
> ***d. Under current law (the Immigration and Nationality Act of 1952, as amended through October 1994), only persons born in American Samoa and the Swains Islands are U.S. nationals (Secs. 101(a)(29) and 308(1) INA).***
>
> *[7 Foreign Affairs Manual (F.A.M.), Section 1111.3*
> *SOURCE: http://foia.state.gov/REGS/Search.asp]*

3. The *Social Security Program Operations Manual System (POMS)* at http://policy.ssa.gov/poms.nsf/poms says the following:

> *RS 02001.003 "U.S. Nationals"*
> *Most of the agreements refer to "U.S. nationals."*
>
> *The term includes both U.S. citizens and persons who, though not citizens, owe permanent allegiance to the United States[**]. **As noted in RS 02640.005 D., the only persons who are nationals but not citizens are American Samoans and natives of Swains Island.***
>
> *[Social Security Program Operations Manual System (POMS), Section RS 02001.003;*
> *SOURCE: http://policy.ssa.gov/poms.nsf/poms]*

4. The USDA Food Stamp Service, website says at http://www.fns.usda.gov/fsp/rules/Memo/Support/02/polimgrt.htm:

> *Non-citizens who qualify outright*
>
> *There are some immigrants who are immediately eligible for food stamps without having to meet other immigrant requirements, as long as they meet the normal food stamp requirements:*
>
> - ***Non-citizen nationals (people born in American Samoa or Swains Island).***
> - *American Indians born in Canada.*
> - *Members (born outside the U.S.) of Indian tribes under Section 450b(e) of the Indian Self-Determination and Education Assistance Act.*
> - *Members of Hmong or Highland Laotian tribes that helped the U.S. military during the Vietnam era, and who are legally living in the U.S., and their spouses or surviving spouses and dependent children.*
>
> *[SOURCE: http://www.fns.usda.gov/fsp/rules/Memo/Support/02/polimgrt.htm]*

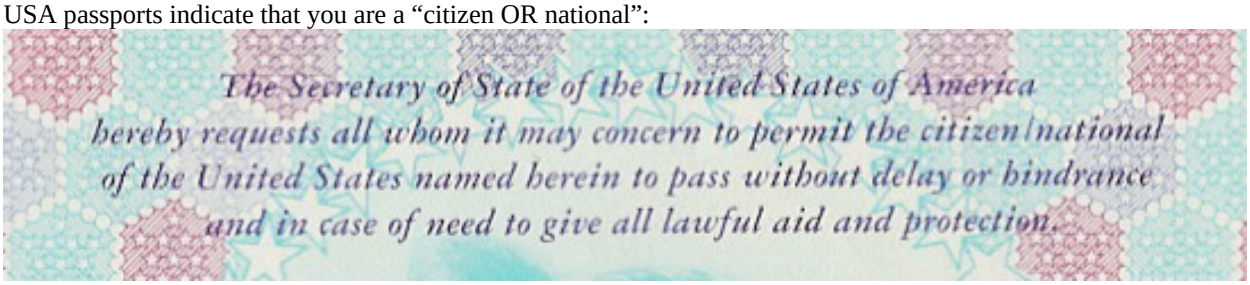
The defects that our detractors fail to realize about the above information are the following points:

1. The term "United States**" as used in 8 U.S.C. §1408 means the federal zone based on the definitions provided in 8 U.S.C. §1101(a)(36), 8 U.S.C. §1101(a)(38), and 8 C.F.R. §215.1(f). See our *Tax Deposition Questions*, Form #03.016, Section 14, Questions 77 through 82 at the following address for more details: http://famguardian.org/TaxFreedom/Forms/Discovery/Deposition/Section 14.htm
2. All of the cites that our detractors quote come from federal statutes and "acts of Congress". The federal government is not authorized under our Constitution or under international law to prescribe the citizenship status of persons who neither reside within nor were born within its territorial jurisdiction. The only thing that federal statutes can address are the status of persons who either reside in, were born in, or resided in the past within the territorial jurisdiction of the federal government. People born within states of the Union do not satisfy this requirement and their citizenship status resulting from that birth is determined only under *state* and not *federal* law. State jurisdiction is foreign to federal jurisdiction EXCEPT in federal areas within a state. The quote below confirms this, keeping in mind that Title 8 of the U.S. Code qualifies as "legislation":

> *"While states are not sovereign in true sense of term but only quasi sovereign, yet in respect of all powers reserved to them [under the Constitution] they are supreme and independent of federal government as that government within its sphere is independent of the states."*

> ***"It is no longer open to question that the general government, unlike the states, Hammer v. Dagenhart, 247 U.S. 251, 275 , 38 S.Ct. 529, 3 A.L.R. 649, Ann.Cas.1918E 724, possesses no inherent power in respect of the internal affairs of the states; and emphatically not with regard to legislation."***
> *[Carter v. Carter Coal Co., 298 U.S. 238, 56 S.Ct. 855 (1936)]*

3. The only thing you need in order to obtain a USA passport is "allegiance". 22 U.S.C. §212. If the federal government is willing to issue you a passport, then they regard you as a "national", because the only type of citizenship that carries with it exclusively allegiance is that of a "national". 8 U.S.C. §1101(a)(21). See: http://famguardian.org/Subjects/Taxes/Citizenship/ApplyingForAPassport.htm
4. USA passports indicate that you are a "citizen OR national":



"citizen/national"= "citizen" OR "national"
"/"= "virgule"

5. The quotes of our detractors above recognize only *one* of the *four* different ways of becoming a "national but not citizen of the United States**" described in 8 U.S.C. §1408. They also recognize only *one* of the *three* different definitions of "United States" that a human being can be a "national" of, as revealed in *Hooven & Allison Co. v. Evatt*, 324 U.S. 652 (1945). They also fail to recognize that an 8 U.S.C. §1452 "national but not citizen of the United States**" is not necessarily the same as a "national but not citizen of the United States** at birth".
6. Information derived from informal publications or advice of employees of federal agencies are *not* admissible in a court of law as evidence upon which to base a good faith belief. The *only* basis for good-faith belief is a reading of the actual statute or regulation that implements it. The reason for this is that employees of the government are frequently wrong, and frequently not only say wrong things, but in many cases the people who said them had no lawful delegated authority to say such things. See http://famguardian.org/Subjects/Taxes/Articles/reliance.htm for an excellent treatise from an attorney on why this is.
7. People writing the contradictory information falsely "presume" that the term "citizen" in a general sense that most Americans use is the same as the term "citizen" as used in the definition of "citizens and nationals of the United States**" found in 8 U.S.C. §1401. In fact, we conclusively prove in section 5.2.14 of the *Great IRS Hoax*, Form #11.302 that this is emphatically not the case. A "citizen" as used in the Internal Revenue Code and most federal statutes means a "person" born or created in a territory or possession of the United States**, and *not* in a state of the Union. Federal corporations, for instance, are created on federal territory and domiciled there. Americans born in states of the Union are a different type of "citizen", and we show in section 5.2.14 that these types of people are "nationals" and not "citizens" or "U.S. citizens" in the context of any federal statute.

> *"The 1st section of the 14th article [Fourteenth Amendment], to which our attention is more specifically invited, opens with a definition of citizenship—not only citizenship of the United States[***], but citizenship of the states.* ***No such definition was previously found in the Constitution, nor had any attempt been made to define it by act of Congress.*** *It had been the occasion of much discussion in the courts, by the executive departments and in the public journals.* ***It had been said by eminent judges that no man was a citizen of the United States[***] except as he was a citizen of one of the states composing the Union. Those therefore, who had been born and resided always in the District of Columbia or in the territories, though within the United States[*], were not citizens.*** *Whether this proposition was sound or not had never been judicially decided."*
> *[Slaughter-House Cases, 83 U.S. (16 Wall.) 36, 21 L.Ed. 394 (1873)]*

We therefore challenge those who make this unwarranted presumption to provide law and evidence proving us wrong on this point. We request that you read section 4.11.10 of the *Great IRS Hoax*, Form #11.302 **before** you prepare your rebuttal, because it clarifies several important definitions that you might otherwise be inclined to overlook that may result in misunderstanding.

8. Whatever citizenship we enjoy we are entitled to abandon. This is our right, as declared both by the Congress and the Supreme Court. See Revised Statutes (1868), §1999, p. 350 and section 4.11.9 of the *Great IRS Hoax*, Form #11.302. "citizens **and** nationals of the United States**" as defined in 8 U.S.C. §1401 have two statuses: "citizen" and "national". We are entitled to abandon either of these two. If we abandon nationality, then we automatically lose the "citizen" part, because nationality is where we obtain our allegiance. But if we abandon the "citizen" part, then we still retain our nationality under 8 U.S.C. §1101(a)(22)(B). This is the approach we advocated in section 4.11.6.1 of the

Great IRS Hoax, Form #11.302. Because all citizenship must be consensual, then the government must respect our ability to abandon those types of citizenship we find objectionable. Consequently, if either you or the government believe that you are a "national and citizen of the United States**" under 8 U.S.C. §1401, then you are entitled by law to abandon only the "citizen" portion and retain the "national" portion, and 8 U.S.C. §1452 tells you how to have that choice recognized by the Department of State.

Item 2 above is important, because it establishes that the federal government has no authority to write law that prescribes the citizenship status of persons born ***outside*** of federal territorial jurisdiction and ***within*** the states of the Union. The U.S. Constitution in Article 1, Section 8, Clause 4 empowers Congress to write "an uniform Rule of Naturalization", but "naturalization" is only one of ***two*** ways of acquiring citizenship. Birth is the other way, and the states have exclusive jurisdiction and legislative authority over the citizenship status of those people who acquire their federal citizenship by virtue of birth within states of the Union. Here is what the Supreme Court said on this subject:

> *"The power of naturalization, vested in congress by the constitution, is a power to confer citizenship, not a power to take it away. 'A naturalized citizen,' said Chief Justice Marshall, 'becomes a member of the society, possessing all the rights of a native citizen, and standing, in the view of the constitution, on the footing of a native.* ***The constitution does not authorize congress to enlarge or abridge those rights. The simple power of the national legislature is to prescribe a uniform rule of naturalization, and the exercise of this power exhausts it, so far as respects the individual.****"*
> *[U.S. v. Wong Kim Ark, 169 U.S. 649 (1898)]*

> *"A naturalized citizen is indeed made a citizen under an act of Congress, but the act does not proceed to give, to regulate, or to prescribe his capacities.* ***He becomes a member of the society, possessing all the rights of a native citizen, and standing, in the view of the constitution, on the footing of a native. The constitution does not authorize Congress to enlarge or abridge those rights. The simple power of the national Legislature, is to prescribe a uniform rule of naturalization, and the exercise of this power exhausts it, so far as respects the individual. The constitution then takes him up, and, among other rights, extends to him the capacity of suing in the Courts of the United States, precisely under the same circumstances under which a native might sue. He is *828 distinguishable in nothing from a native citizen, except so far as the constitution makes the distinction. The law makes none."***
> *[Osborn v. Bank of U.S., 22 U.S. 738 (1824)]*

The rules of comity prescribe whether or how this citizenship is recognized by the federal government, and by reading 8 U.S.C. §1408, it is evident that the federal government chose *not* to directly recognize within Title 8 of the U.S.C. the citizenship status of persons born within states of the Union to parents neither of whom were "U.S. citizens" under 8 U.S.C. §1401 and neither of whom "resided" inside the federal zone prior to the birth of the child. We suspect that this is because not only does the Constitution not give them this authority, but more importantly because doing so would spill the beans on the true citizenship of persons born in states of the Union and result in a mass exodus from the tax system by most Americans.

As we said, there are four ways identified in 8 U.S.C. §1408 that a person may become a "national but not citizen of the United States**" ***at birth***. We have highlighted the section that our detractors are ignoring, and which we quote frequently on our treatment of the subject of citizenship.

> *TITLE 8 > CHAPTER 12 > SUBCHAPTER III > Part I > Sec. 1408.*
> *Sec. 1408. - Nationals but not citizens of the United States[**] at birth*
>
> *Unless otherwise provided in section 1401 of this title, the following shall be nationals, but not citizens, of the United States[**] at birth:*
>
> *(1) A person born in an outlying possession of the United States[**] on or after the date of formal acquisition of such possession;*
>
> ***(2) A person born outside the United States[**] and its outlying possessions of parents both of whom are nationals, but not citizens, of the United States[**], and have had a residence[domicile] in the United States[**], or one of its outlying possessions prior to the birth of such person;***
>
> *(3) A person of unknown parentage found in an outlying possession of the United States[**] while under the age of five years, until shown, prior to his attaining the age of twenty-one years, not to have been born in such outlying possession; and*
>
> *(4) A person born outside the United States[**] and its outlying possessions of parents one of whom is an alien, and the other a national, but not a citizen, of the United States[**] who, prior to the birth of such person, was*

*physically present in the United States[**] or its outlying possessions for a period or periods totaling not less than seven years in any continuous period of ten years -*
*(A) during which the national parent was not outside the United States[**] or its outlying possessions for a continuous period of more than one year, and*
(B) at least five years of which were after attaining the age of fourteen years.

The proviso of section 1401(g) of this title shall apply to the national parent under this paragraph in the same manner as it applies to the citizen parent under that section

Subsections (1), (3), and (4) above deal with persons who are born in outlying possessions of the United States**, and Swains Island and American Samoa would certainly be included within these subsections. These people would be the people who are addressed by the information cited by our detractors from federal websites above. Subsection (2), has limited applications to those born in a state of the Union to parents both of whom are "nationals but not citizens of the United States[**]

We explained above that you have the right to abandon only the "citizen" portion and retain the "national" portion of any imputed citizenship status under 8 U.S.C. §1401. We also show you how to have that choice formally recognized by the U.S. Department of State in section 2.5.3.13 of our *Sovereignty Forms and Instructions Manual*, Form #10.005 under the authority of 8 U.S.C. §1452, and we know people who have successfully employed this strategy, so it must be valid.

Furthermore, even if you don't want to believe that any of the preceding discussion is valid, we also explained that the federal government cannot directly prescribe the citizenship status of persons born within states of the Union under international law. To illustrate this fact, consider the following extension of a popular metaphor:

*"If a tree fell in the forest, and Congress refused to pass a law recognizing that it fell and forced the agencies in the executive branch to refuse to acknowledge that it fell because doing so would mean an end to income tax revenues, then did it **really** fall?"*

The answer to the above questions is emphatically "yes". We said that the rules of comity prevail in the case of the federal government's decision to recognize the citizenship status of those born in states of the Union, which are "foreign states" in relation to federal government legislative jurisdiction. But what indeed is their status under federal law? 8 U.S.C. §1101(a)(21) defines a "national" as:

TITLE 8 > CHAPTER 12 > SUBCHAPTER I > Sec. 1101.
Sec. 1101. - Definitions

(21) The term "national" means a person owing permanent allegiance to a state.

If you were born in a state of the Union, you are a "national of the United States***" (a national of the United States *of America*) because the "state" that you have allegiance to is the confederation of states called the "United States***". As further confirmation of this fact, if "naturalization" is defined as the process of ***conferring*** "nationality" under 8 U.S.C. §1101(a)(23), and "expatriation" is defined as the process of ***abandoning*** "nationality and allegiance" by the Supreme Court in *Perkins v. Elg*, 307 U.S. 325 (1939), then "nationality" is the key that determines citizenship status. What makes a person a "national" is "allegiance" to a state. The only type of citizenship which carries with it the notion of "allegiance" is that of "national" **of the United States of America**, as shown in 8 U.S.C. §1101(a)(21) and "national **of the United States****" as shown in 8 U.S.C. §1101(a)(22)(B). You will not find "allegiance" mentioned anywhere in Title 8 in connection with those persons who claim to be "citizens and nationals of the United States**" as defined in 8 U.S.C. §1401:

*TITLE 8 > CHAPTER 12 > SUBCHAPTER I > **Sec. 1101.***
Sec. 1101. - Definitions

*(a) (22) The term "national of the United States[**]" means*

*(A) a citizen of the United States[**], or*

*(B) a person who, though not a citizen of the United States[**], owes permanent [*but not necessarily exclusive*] allegiance to the United States[**].*

People born in states of the Union can and most often do have allegiance to the confederation of states called the "United States***" (or "United States of America") just as readily as people who were born on federal property can and most often

do have allegiance to the federal "United States**". The federal government under the rules of comity should be willing to recognize that allegiance ***without*** demanding that such persons surrender their sovereignty, become tax slaves, and come under the exclusive jurisdiction of federal statutes by pretending to be people who are domiciled in the federal zone. Not doing so would be an injury and oppression of their rights, and would be a criminal conspiracy against rights, because remember, people who are domiciled inside the federal zone have no rights, by the admission of the Supreme Court in *Downes v. Bidwell*, 182 U.S. 244 (1901):

> *TITLE 18 > PART I > CHAPTER 13 > Sec. 241.*
> *Sec. 241. - Conspiracy against rights*
>
> *If two or more persons conspire to injure, oppress, threaten, or intimidate any person in any State, Territory, Commonwealth, Possession, or District in the free exercise or enjoyment of any right or privilege secured to him by the Constitution or laws of the United States[***], or because of his having so exercised the same; or*
>
> *If two or more persons go in disguise on the highway, or on the premises of another, with intent to prevent or hinder his free exercise or enjoyment of any right or privilege so secured -*
>
> *They shall be fined under this title or imprisoned not more than ten years, or both; and if death results from the acts committed in violation of this section or if such acts include kidnapping or an attempt to kidnap, aggravated sexual abuse or an attempt to commit aggravated sexual abuse, or an attempt to kill, they shall be fined under this title or imprisoned for any term of years or for life, or both, or may be sentenced to death*

It would certainly constitute a conspiracy against rights to force or compel a person to give up their true citizenship status in order to acquire any kind of citizenship recognition from a corrupted federal government. The following ruling by the Supreme Court plainly agrees with these conclusions:

> *"It would be a palpable incongruity to strike down an act of state legislation which, by words of express divestment, seeks to strip the citizen of rights guaranteed by the federal Constitution, but to uphold an act by which the same result is accomplished under the guise of a surrender of a right in exchange for a valuable privilege which the state threatens otherwise to withhold.* ***It is not necessary to challenge the proposition that, as a general rule, the state, having power to deny a privilege altogether, may grant it upon such conditions as it sees fit to impose. But the power of the state in that respect is not unlimited, and one of the limitations is that it may not impose conditions which require the relinquishment of Constitutional rights. If the state may compel the surrender of one constitutional right as a condition of its favor, it may, in like manner, compel a surrender of all. It is inconceivable that guaranties embedded in the Constitution of the United States[***] may thus be manipulated out or existence.*** *"*
> *[Frost v. Railroad Commission, 271 U.S. 583; 46 S.Ct. 605 (1926)]*

17.2 Legal Profession contradictions

Larry Becraft, a famous patriot attorney, sent out the following email to his many followers relating to citizenship which we would like to respond to that at first might appear to contradict this pamphlet but in fact does not:

> *Time: Mon, 27 May 2013 10:42:19 -0500*
>
> *From: Lowell Becraft <becraft@hiwaay.net>*
>
> *Subject: The erroneous "national" argument*
>
> *I know that the argument about "national" is circulating around, but it is wrong. To address this error, I posted the following at the Truth Attack website:*
>
> *http://www.truth-attack.com/jml/index.php/law-library/jurisdiction**
>
> ***"NATIONALS"***
>
> *In Piqua Bank v. Knoup, 6 Ohio.St. 342, 393 (Ohio 1856), that court defined a national government and contrasted it with a federal government:*
>
> > *"A national government is a government of the people of a single state or nation, united as a community by what is termed the 'social compact,' and possessing complete and perfect supremacy over persons and things, so far as they can be made the lawful objects of civil government. A federal government is distinguished from a national government*

> *by its being the government of a community of independent and sovereign states, united by compact."*

Black's Law Dictionary quotes this case in its definition of national government. The Government of the United States is a federal government.

But while many may understand this difference between national and federal government, even fewer understand, in reference to human beings, who is a "national" of the United States. This short memo constitutes an introduction to this topic.

In the late 1800s, the United States was beginning to assert power over islands not contiguous to this country. Then, Hawaii was conquered and made a territory. With time, the same thing happened with the Virgin Islands, the Philippines, Puerto Rico, Swain's Island, Guam, the Northern Marianas, and similar places. Congress began referring to citizens of those islands as persons owing a duty of allegiance to the United States or obedience to its laws; see 28 Stat. 64 (http://www.truth-attack.com/jml/images/stats/28Stat64.pdf;, 32 Stat. 694 (http://www.truth-attack.com/jml/images/stats/32Stat694.pdf).

Eventually in the first few decades of the 20th century, a name for these people was developed: a national. Examples of this name for these persons can be easily seen from a variety of pages appearing in the U.S. Statutes at Large:

28 Stat. 53 http://www.truth-attack.com/jml/images/stats/28Stat53.pdf ;
36 Stat. 328 http://www.truth-attack.com/jml/images/stats/36Stat328.pdf;
37 Stat. 499 http://www.truth-attack.com/jml/images/stats/37Stat499.pdf;
38 Stat. 692 http://www.truth-attack.com/jml/images/stats/38Stat692.pdf;
38 Stat. 818 http://www.truth-attack.com/jml/images/stats/38Stat818.pdf;
42 Stat. 106 http://www.truth-attack.com/jml/images/stats/42Stat106.pdf;
47 Stat. 142 http://www.truth-attack.com/jml/images/stats/47Stat142.pdf;
48 Stat. 454 http://www.truth-attack.com/jml/images/stats/48Stat454.pdf;
48 Stat. 456 http://www.truth-attack.com/jml/images/stats/48Stat456.pdf;
54 Stat. 4 http://www.truth-attack.com/jml/images/stats/54Stat4.pdf;
57 Stat. 308 http://www.truth-attack.com/jml/images/stats/57Stat308.pdf;
58 Stat. 101 http://www.truth-attack.com/jml/images/stats/58Stat101.pdf;
87 Stat. 397 http://www.truth-attack.com/jml/images/stats/87Stat397.pdf;
87 Stat. 635 http://www.truth-attack.com/jml/images/stats/87Stat635.pdf;
88 Stat. 1444 http://www.truth-attack.com/jml/images/stats/88Stat1444.pdf;
88 Stat. 2064 http://www.truth-attack.com/jml/images/stats/88Stat2064.pdf;
89 Stat. 543 http://www.truth-attack.com/jml/images/stats/89Stat543.pdf;
90 Stat. 269 http://www.truth-attack.com/jml/images/stats/90Stat269.pdf;
90 Stat. 1268 http://www.truth-attack.com/jml/images/stats/90Stat1268.pdf;
91 Stat. 1212 http://www.truth-attack.com/jml/images/stats/91Stat1212.pdf;
91 Stat. 1214 http://www.truth-attack.com/jml/images/stats/91Stat1214.pdf;
92 Stat. 72 http://www.truth-attack.com/jml/images/stats/92Stat72.pdf;
92 Stat. 1949 http://www.truth-attack.com/jml/images/stats/92Stat1949.pdf;
96 Stat. 2483 http://www.truth-attack.com/jml/images/stats/96Stat2483.pdf;
97 Stat. 661 http://www.truth-attack.com/jml/images/stats/97Stat661.pdf;
98 Stat. 2302 http://www.truth-attack.com/jml/images/stats/98Stat2302.pdf;
99 Stat. 624 http://www.truth-attack.com/jml/images/stats/99Stat624.pdf;
100 Stat. 1480 http://www.truth-attack.com/jml/images/stats/100Stat1480.pdf;
116 Stat. 2874 http://www.truth-attack.com/jml/images/stats/116Stat2874.pdf;
117 Stat. 2801 http://www.truth-attack.com/jml/images/stats/117Stat2801.pdf;
117 Stat. 2802 http://www.truth-attack.com/jml/images/stats/117Stat2802.pdf;
120 Stat. 80 http://www.truth-attack.com/jml/images/stats/120Stat80.pdf;
121 Stat. 1743 http://www.truth-attack.com/jml/images/stats/121Stat1743.pdf;
123 Stat. 53 http://www.truth-attack.com/jml/images/stats/123Stat53.pdf;

Inherently, "national" means a citizen of the insular possessions. One definition of this word appears in 24 C.F.R. §5.504 http://edocket.access.gpo.gov/cfr_2010/aprqtr/pdf/24cfr5.504.pdf;, which states: "National means a person who owes permanent allegiance to the United States, for example, as a result of birth in a United States territory or possession." In § 871-24.60 (96) of the Iowa Administrative Code,

> *"A national is defined as a person who lives in mandates or trust territories administered by the United States and owes permanent allegiance to the United States. An alien is a person owing allegiance to another country or government."*

In Washington Administrative Code § 388-424-0001, this word is defined as

> *"a person who owes permanent allegiance to the U.S. and may enter and work in the U.S. without restriction. The following are the only persons classified as U.S. nationals:*

(1) Persons born in American Samoa or Swain's Island after December 24, 1952; and
(2) Residents of the Northern Mariana Islands who did not elect to become U.S. citizens."

Often, Congress uses in legislation the phrase "citizen or national of the United States". When this word appears in this context without definition, it means a citizen of the insular possessions. But just as often when a federal law encompasses a citizen or national, that act may provide a specific definition. Such act may define a U.S. Person, or Citizen, as being a "citizen or national", and in this event, the defined word encompasses a citizen or national.

It is important for students of the law to "data-mine" the U.S. Statutes at Large, which are posted here http://www.truth-attack.com/jml/index.php/law-library/primary-sources-of-law.

*Please download all of these word searchable volumes and start studying. **

Our position on the above statement by Mr. Becraft is this:

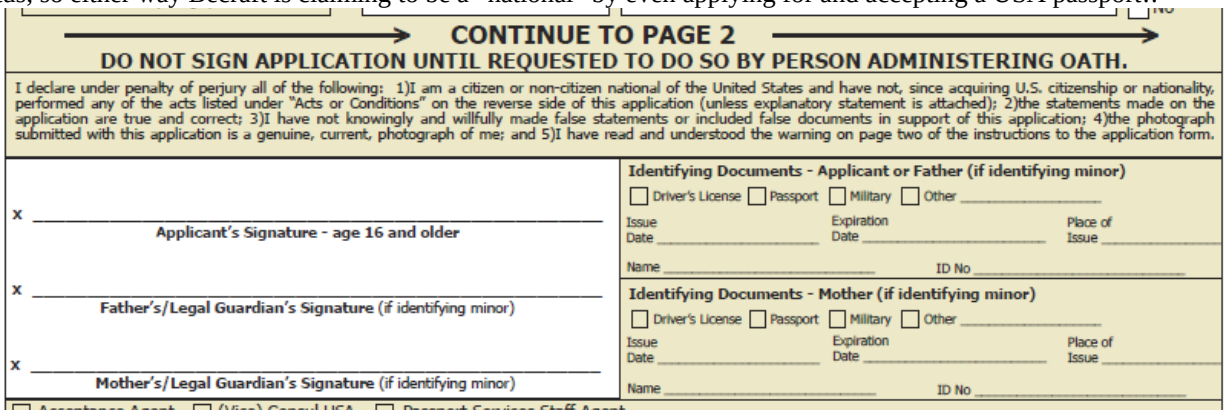
1. He doesn't seem to properly recognize the TWO contexts for citizenship: STATUTORY and CONSTITUTIONAL. These contexts are mutually exclusive and non-overlapping. He only refers to STATUTORY civil context, which in the case of the national government is federal territory only and excludes states of the Union.
2. Becraft doesn't even discuss the statutory definition of "national" found in 8 U.S.C. §1101(a)(21), and if he did, he would have to conclude that the term can in fact describe ANYONE in the WORLD! Everything beyond the point of that omission operates upon a false premise.

8 U.S.C. §1101: Definitions

(a)(21) The term "national" means a person owing permanent allegiance to a state.

People born in states of the Union and domiciled there are simply "nationals", which are defined in 8 U.S.C. §1101(a)(21) but not "nationals of the United States" per 8 U.S.C. §1101(a)(22) or "non-citizen nationals" per 8 U.S.C. §1408. A "national" is legally defined as anyone having allegiance to a "state", which "state" is a state of the Union and a legislatively but not constitutionally "foreign state" because it is in lower case. "state" may also refer to the state formed by the Union of states under the United States Constitution.

3. Even the penalty of perjury statement at the end of the USA Passport Application, Department of State Form DS-11 recognizes that ALL applicants for American Passports MUST be either "citizens of the United States" or "non-citizen nationals of the United States". Chances are that Becraft himself applied for and retains such a passport and yet he contradicts his own testimony under penalty of perjury on the Department of State Form DS-11 by claiming that he is NOT a "national". Note that the statutory definition of "citizen" found in 8 U.S.C. §1401 ALSO includes "national" status, so either way Becraft is claiming to be a "national" by even applying for and accepting a USA passport!:



CONTINUE TO PAGE 2

DO NOT SIGN APPLICATION UNTIL REQUESTED TO DO SO BY PERSON ADMINISTERING OATH.

I declare under penalty of perjury all of the following: 1)I am a citizen or non-citizen national of the United States and have not, since acquiring U.S. citizenship or nationality, performed any of the acts listed under "Acts or Conditions" on the reverse side of this application (unless explanatory statement is attached); 2)the statements made on the application are true and correct; 3)I have not knowingly and willfully made false statements or included false documents in support of this application; 4)the photograph submitted with this application is a genuine, current, photograph of me; and 5)I have read and understood the warning on page two of the instructions to the application form.

x _____
Applicant's Signature - age 16 and older

x _____
Father's/Legal Guardian's Signature (if identifying minor)

x _____
Mother's/Legal Guardian's Signature (if identifying minor)

Identifying Documents - Applicant or Father (if identifying minor)
☐ Driver's License ☐ Passport ☐ Military ☐ Other _____
Issue Date _____ Expiration Date _____ Place of Issue _____
Name _____ ID No _____

Identifying Documents - Mother (if identifying minor)
☐ Driver's License ☐ Passport ☐ Military ☐ Other _____
Issue Date _____ Expiration Date _____ Place of Issue _____
Name _____ ID No _____

Becraft has only two choices in responding to this supreme contradiction that HE creates in the mind of readers:

3.1. Admit that he committed perjury on his passport application by calling himself a statutory "national" or "citizen" of the United States. This could land him in jail for up to TEN years per 18 U.S.C. §1542. OR

3.2. Admit that the terms on the Department of State Form DS-11:

3.2.1. Are POLITICAL/CONSTITUTIONAL and not STATUTORY in nature, in which case the STATUTORY or REGULATORY definitions do not apply. STATUTORY/regulatory definitions do not apply to the CONSTITUTIONAL context in most cases and are limited to federal territory.

3.2.2. Are being MISREPRESENTED by him as ALSO applying to the STATUTORY context. The STATUTORY and CONSTITUTIONAL contexts are mutually exclusive because of the separation of powers doctrine.

Which is it, Mr. Becraft? We allege that the "citizen of the United States" in the above Department of State Form DS-11 is a POLITICAL/CONSTITUTIONAL term and NOT a STATUTORY term, but that it is being FRAUDULENTLY treated as EQUIVALENT to the STATUTORY context by a corrupted government to usurp jurisdiction they in fact do not have. How to YOU explain this away, Mr. Becraft? Or is it above one's pride to admit that they might be incorrect on this issue or worst yet, don't know enough to talk intelligently about it?

4. Becraft doesn't understand the interaction of domicile with one's STATUTORY civil status. We discussed that interaction ad nauseum earlier in section 11 et seq. You cannot have a civil status under the civil laws of a specific jurisdiction WITHOUT a domicile within that jurisdiction. This fact is recognized in Federal Rule of Civil Procedure 17(b). Hence, people domiciled outside of federal territory cannot have ANY civil status under federal law over which Congress has any civil jurisdiction, because they are in a legislatively but not constitutionally "foreign" jurisdiction. Only through the operation of the Foreign Sovereign Immunities Act (F.S.I.A.), 28 U.S.C. Chapter 97 and the Longarm Statutes of a specific state can such a civil status be acquired, and it must be CONSENSUALLY acquired through the operation of PURPOSEFUL AVAILMENT.

> *In Udny v. Udny (1869) L. R. 1 H. L. Sc. 441, the point decided was one of inheritance, depending upon the question whether the domicile of the father was in England or in Scotland, he being in either alternative a British subject. Lord Chancellor Hatherley said: '**The question of naturalization and of allegiance is distinct from that of domicile.**' Page 452. Lord Westbury, in the passage relied on by the counsel for the United States, began by saying: '**The law of England, and of almost all civilized countries, ascribes to each individual at his birth two distinct legal states or conditions,—one by virtue of which he becomes the subject [NATIONAL] of some particular country, binding him by the tie of natural allegiance, and which may be called his political status; another by virtue of which he has ascribed to him the character of a citizen of some particular country, and as such is possessed of certain municipal rights, and subject to certain obligations, which latter character is the civil status or condition of the individual, and may be quite different from his political status.**' And then, **while maintaining that the civil status is universally governed by the single principle of domicile (domicilium), the criterion established by international law for the purpose of determining civil status, and the basis on which 'the personal rights of the party—that is to say, the law which determines his majority or minority, his marriage, succession, testacy, or intestacy— must depend,' he yet distinctly recognized that a man's political status, his country (patria), and his 'nationality,**—that is, natural allegiance,'—'may depend on different laws in different countries.' Pages 457, 460. He evidently used the word 'citizen,' not as equivalent to 'subject,' but rather to 'inhabitant'; and had no thought of impeaching the established rule that all persons born under British dominion are natural-born subjects.*
> *[United States v. Wong Kim Ark, 169 U.S. 649, 18 S.Ct. 456, 42 L.Ed. 890 (1898) ;*
> *SOURCE: http://scholar.google.com/scholar_case?case=3381955771263111765]*

This subject is further discussed ad nausuem at:

Why Domicile and Becoming a "Taxpayer" Require Your Consent, Form #05.002 http://sedm.org/Forms/FormIndex.htm

5. We agree with Becraft that:
 5.1. People domiciled in states of the Union are NOT STATUTORY "nationals of the United States" as defined in 8 U.S.C. §1101(a)(22)(B) and that these people include only those in American Samoa and Swain's Island.
 5.2. It is a big mistake to claim the status of statutory "national of the United States" as defined in 8 U.S.C. §1101(a)(22)(B). In fact, we regard THIS status as the ONLY status that Becraft is referring to when he uses the word "national".
6. We don't advocate that people using this website claim to have ANY statutory civil status under federal law over which Congress has any civil legislative jurisdiction at all. We tell them that they cannot therefore be statutory "nationals of the United States" or ANYTHING else under federal civil law. Rather, we tell them that they should refer to themselves with any the following statuses over which Congress enjoys NO legislative authority:
 6.1. "American nationals" but not statutory "citizens".
 6.2. "state nationals" but not statutory "citizens".
 6.3. "nationals of the United States of America" (states of the Union and NOT federal government).
 6.4. "nationals of the CONSTITUTIONAL and not STATUTORY "United States***" (states of the Union and NOT federal government).

 The above approach is EXACTLY the same approach that people in even the U.S. government take when describing people from other countries who are visiting here, such as "Mexican nationals".
7. People should NOT be using the word "United States" in describing any aspect of themselves because it invites a confusion of context between the CONSTITUTIONAL and the STATUTORY meanings. This is clarified at:

Developing Evidence of Citizenship and Sovereignty Course, Form #12.002
http://sedm.org/Forms/FormIndex.htm

8. People born in states of the Union and domiciled there are NOT:
 8.1. Statutory "nationals and citizens of the United States" or statutory "U.S. citizens" pursuant to 8 U.S.C. §1401.
 8.2. Statutory "nationals of the United States at birth" or "U.S. nationals" pursuant to 8 U.S.C. §1408 or 8 U.S.C. §1101(a)(22)(B).
 8.3. "nationals of the United States" per 8 U.S.C. §1101(a)(22).
9. The U.S. Supreme Court has recognized that in a STATUTORY context ONLY, that the only remaining "non-citizen nationals" are those in American Samoa and Swain's Island:

> *"2. Nationality and citizenship are not entirely synonymous; **one can be a national of the United States and yet not a citizen. 8 U.S.C. §1101(a)(22). The distinction has little practical impact today, however, for the only remaining noncitizen nationals are residents of American Samoa and Swains Island.** See **T. Aleinikoff, D. Martin, & H. Motomura, Immigration: Process and Policy 974-975, n. 2 (3d ed. 1995)**. The provision that a child born abroad out of wedlock to a United States citizen mother gains her nationality has been interpreted to mean that the child gains her citizenship as well; thus, if the mother is not just a United States national, but also a United States citizen, the child is a United States citizen.* See *7 Gordon § 93.04[2][b], p. 93-42;* id., *§ 93.04[2][d][viii], p. 93-49."*
> *[Miller v. Albright, 523 U.S. 420 (1998)]*

However:

 9.1. As we just said, we tell people in states of the Union that the civil statutory context of federal law has no jurisdiction over those domiciled in a state of the Union. Hence, they cannot have ANY civil statutory "status" to which any public rights or obligations can attach. This is direct result of the Separation of Powers Doctrine that forms the heart of the United States Constitution and is recognized in 40 U.S.C. §3112.
 9.2. The STATUTORY context is not the ONLY context in which the term "national" can be or is used. It can also be used in either a CONSTITUTIONAL context or a COMMON LAW context. In the common law context, people in states of the Union are in fact statutory "nationals" but not statutory "citizens".
10. On occasion, we have referred to people born in states of the Union as "nationals of the United States **OF AMERICA**" and then CAREFULLY clarified the term "United States of America" to exclude any part of the STATUTORY "United States" as used in Title 8 of the U.S. Code, to include ONLY states of the Union. However, to avoid this kind of confusion, it is easier just to use the same terminology as that found in 26 U.S.C. §7701(b)(1)(B) and 8 U.S.C. §1101(a)(21): "national" and to avoid any confusing uses of any of the following suffixes:
 10.1. "United States"
 10.2. "United States of America"
 10.3. "USA"
11. To avoid confusion, it's best:
 11.1. To avoid the use of the term "citizen" in describing yourself, because the STATUTORY sense of that word also implies a legal "domicile" within the legislative jurisdiction of the federal government, which is NOT true for persons domiciled in states of the Union.
 11.2. To simply refer to yourself as a "_____national", where the underline refers to the state of the Union you were born in. This will avoid all association with the federal government.
 11.3. When presented with a government form asking if you are a "U.S. citizen" should answer NO and then write next to it "Constitutional but not statutory 'citizen'". If the recipient of the form won't let you modify the form, then attach a statement redefining the words on the form so that it is consistent with what appears here.

Therefore, we agree mostly with Larry Becraft, but we don't agree that saying one is a national but not a citizen is a mistake as long as the context is defined as constitutional and common law, and not statutory. He is well intentioned but his view reflects an incomplete understanding and an outright refusal to recognize or even define the CONTEXT for the words he uses. Our position found in this pamphlet is consistent with most of what he said above. By the way, Richard MacDonald uses the same conventions on his website and in his diverse discussions of citizenship as we use and we have never seen Larry Becraft attack Richard's approach:

http://www.state-citizen.org/

We thank Larry for caring enough to even address this topic, which is more than most attorneys do. However he only adds to the confusion by not clearly addressing the TWO contexts for legal terms, and which context applies to each and every word he or others use or misuse. It's simply WRONG to always interpret words people use as meaning the STATUTORY context, and to use only statutes to disprove their usage of the terms. This ignores and damages those such as us who use

the CONSTITUTIONAL or POLITICAL context and EXCLUDE the STATUTORY context. The term "national" as used in 8 U.S.C. §1101(a)(21) is an example of a term that has a political meaning, because it references allegance to a legislatively FOREIGN state and has NO obligations or "privileges" that attach to the status. By "national" as used in 8 U.S.C. §1101(a)(21), we believe is meant one who has "nationality" within the COUNTRY United States*. That in fact is why no privileges or rights attach to the status: Because it is a CONSTITUTIONAL rather than a STATUTORY franchise.

BECRAFT'S RESPONSE:

We sent the above to Mr. Becraft. In response, all that Mr. Becraft could do is call us "nasty" and offer supreme court cites that deliberately confuse or cloud CONSTITUTIONAL and STATUTORY contexts to make it appear as though they are equivalent.

> *As I often state, lots of people in this movement, especially the gurus, are some of the nastiest people you can ever meet, and now I conclude that this observation includes you.*
>
> *I fully understand that you have a vested interest in continuing to promote the baseless "national" argument, with which I disagree. Now you make demands to which I state that you can take a hike.*
>
> *Let me act like you: I hereby demand the following:*
>
> *1. That you contact every person that you have mislead about this argument and admit that you have been incorrect;*
>
> *2. That you tell each of them that your argument about "foreign" is contrary to decisions of the courts. See attached.*
>
> *I am now deleting all contact information for you.*
>
> *Larry*

He said he wouldn't talk with us about it and terminated communication, thus abandoning the field of rational argument and admitting that our research was correct pursuant to Federal Rule of Civil Procedure 8(b)(6). You can read the interchange and our response below. You be the judge:

Family Guardian Forums, Forum 6.1.4: Citizenship Questions, Confusion, and Disinformation
http://famguardian.org/forums/index.php?showtopic=7301

Below was our response to his response:

> *Dear Larry,*
>
> *1. As most attorneys do, you have added lots of heat and absolutely no light to the most important issue of citizenship. You have presented no facts directly pertinent to a PRIVATE person not subject to federal civil law which derive from the legislatively foreign domicile of such a party as required by Federal Rule of Civil Procedure 17(b). All civil law cited must derive from the domicile of the party, which means no federal statutory civil law can be cited for those with a foreign domicile unless the party proves there was consensual, PURPOSEFUL availment, which you have not proven. See the International Shoe case and the Foreign Sovereign Immunities Act (F.S.I.A.), 28 U.S.C. Chapter 97. Citing foreign law against a nonresident with no "purposeful availment" is an abuse of the courts for "political purposes" in violation of the separation of powers.*
>
> *2. There is no financial vested interest in the position you claim we have a vested interest in. The citizenship information provided to you for rebuttal is and always has been absolutely free. It would have to be offered for sale before there could be or is a financial interest. Hence, the statement that there is a vested interest is absolutely false and fraudulent.*
>
> *3. The person with a real vested interest is you, who benefits handsomely to the tune of tens of thousands of dollars when people are confused, arguing, and have to litigate expensively to resolve the confusion. There is no financial incentive for attorneys to prevent conflict, and a big DISINCENTIVE to do so. You can't and won't act in a preemptive mode to resolve the confusion and ensuing litigation. The way to do that is to address ALL the issues raised in the Why You are a "national", "state national", and Constitutional but not Statutory Citizen, Form #05.006 pamphlet. Hence, you perpetuate and protect a very profitable (for you) source of confusion. On this subject, see:*

Petition for Admission to Practice
http://famguardian.org/Subjects/LawAndGovt/LegalEthics/PetForAdmToPractice-USDC.pdf

4. You falsely accuse us of being a "guru". A guru is someone that people trust or rely on for a specific subject matter. Yet our Member Agreement, Form #01.001 SPECIFICALLY says that our members and readers are NOT allowed to trust ANY MAN, including us, to interpret the law and will only trust their own reading of the law. See for yourself:

4.1 Member Agreement, Form #01.001, Section 3
http://sedm.org/Membership/MemberAgreement.htm

4.2 Guide to Asking Questions, Form #09.017, Section 1
http://sedm.org/Membership/GuideToAskingQuestions.htm

How is it even possible to be a "guru" without some measure of reliance on a "man" that is forbidden by our Member Agreement? What have you been smoking, or don't you even study the people and things you so presumptuously and ignorantly and foolishly criticize.

5. You state that the argument is "baseless" and yet it is supported by the 200 pages of research that neither you nor anyone else in over ten years of peer review has proven is incorrect in any particular. Even the last federal judge and U.S. attorney who received such arguments didn't disagree with them and therefore agreed. We even showed you HOW to prove it incorrect: Answer the questions at the end (section 19) without contradicting yourself, the rules of statutory construction, or the statutes. You can't. The only person with a baseless argument is one without evidence, and you haven't presented the evidence (in the form of answers to questions) needed to supersede or discredit our evidence. How about:

5.1 A list of errata of this document (Form #05.006)?
5.2 Answers to the questions in section 19 that disprove your assertions?

6. You attached a memorandum allegedly proving that the U.S. is NOT "foreign" in relation to the states. Even the Corpus Juris Secundum legal encyclopedia disagrees with you.
http://famguardian.org/TaxFreedom/CitesByTopic/ForeignState.htm

You are correct that the United States is not "foreign" in relation to a state domiciled citizen if you mean in a CONSTITUTIONAL sense but incorrect if you mean a STATUTORY sense. That only further proves that you intend to perpetuate the confusion of STATUTORY and CONSTITUTIONAL context that is the source of all unjust, unconstitutional, and CRIMINAL power wielded by the corrupted federal courts. The issue of being LEGISLATIVELY foreign but not CONSTITUTIONALLY foreign is already addressed in:

6.1 Flawed Tax Arguments to Avoid, Form #08.004, Sections 2 and 6.3
DIRECT LINK: http://sedm.org/Forms/08-PolicyDocs/FlawedArgsToAvoid.pdf

6.2 Why you are a "national", "state national", and Constitutional but not Statutory Citizen, Form #05.006, Sections 2, 3, 4, 19
DIRECT LINK: http://sedm.org/Forms/05-MemLaw/WhyANational.pdf

When are you going to rebut the above with answers and equally persuasive arguments rather than childish name calling with the word "nasty"? Your response is the childish response of children:

> *"I win. I'm plugging my ears and I'm not listening to your answer. Neener, neener, neener. If you want' to talk with me again about this, you will have to bribe me for $250 per hour in your next planned 'legal emergency' because all I care about is money and not justice or social responsibility."*

We would expect much better of such an experienced and informed person. We value your feedback and lots of people will read of your childish response on a public website. Is that the best you can do, my friend?

By disassociating and removing us from your email list, you have abandoned rational debate, gone into default, and admitted that you are misleading people because you can't and won't rebut or defend the above issues with FACTS and therefore admit they are correct per Federal Rule of Civil Procedure 8(b)(6). He who abandons the battlefield of debate by refusing to participate is always the loser.

If there were a good definition for "nasty" in the legal field (a word you used), it would have to be people who maliciously play word games and confusion of context (STATUTORY v. CONSTITUTIONAL) to STEAL jurisdiction they do not have. This turns the public trust into a sham trust and officers of the public trust (such as attorneys) into thieves and deceivers. U.S. Supreme Court Justice Scalia agrees on this subject of what "nasty" means:

http://www.youtube.com/watch?v=DaoLMW5AF4Y
http://www.c-spanvideo.org/program/307035-1

The following information and memorandums expose how this CRIMINAL abuse happens, and you know that if you addressed it, you and most judges would be powerless and penniless. Justice Scalia admitted as much in the last video above.

1. Foundations of Freedom, Video 4: Willful Government Deception and Propaganda, Form #12.021
http://www.youtube.com/watch?v=DvnTL_Z5asc

2. Flawed Tax Arguments to Avoid, Form #08.004, Sections 2 and 6.3
http://sedm.org/Forms/08-PolicyDocs/FlawedArgsToAvoid.pdf

3. Meaning of the Words "includes" and "including", Form #05.014
http://sedm.org/Forms/05-MemLaw/Includes.pdf

4. Rules of Presumption and Statutory Interpretation, Litigation Tool #01.006
http://sedm.org/Litigation/LitIndex.htm

When we want to talk responsibly with a legal professional such as yourself about this foundation of all the corruption in the legal field to PREVENT harm, they plug their ears because it butters their bread with stolen loot and can't be threatened. Disgusting. Our readers will hear about this abuse.

Finally, if you are going to warn your readers about us, at least have the decency and integrity to give them the benefit of BOTH sides of the argument by providing a link to the following and telling them that you agree with it because you can't prove it wrong:

Why You are a "national", "state national", and Constitutional but not Statutory Citizen, Form #05.006, Sections 2, 3, 4, 17.2
DIRECT LINK: http://sedm.org/Forms/05-MemLaw/WhyANational.pdf
FORMS PAGE: http://sedm.org/Forms/FormIndex.htm

Here are some of the self-serving presumptions that Mr. Becraft is operating under to pad his, the government's, and the judge's pocket, which are provably FALSE, and which have already been disproven elsewhere in this exhaustive memorandum:

1. That there is ONLY one context for legal words: STATUTORY. Hence, he only needs to examine the statutes and can ignore the common law and the constitution on this subject.
2. That a CONSTITUTIONAL and a STATUTORY citizen are equivalent. They are NOT. See section 2.4 earlier.
3. That case law that pertains to a statutory "citizen" such as what he offers in proof is relevant to those not SIMILARLY SITUATED with a foreign domicile such as our members. This violates:
 3.1. Choice of law rules.
 3.2. Federal Rule of Civil Procedure 17(b).
 3.3. Foreign Sovereign Immunities Act (F.S.I.A.), 28 U.S.C. Chapter 97.
 3.4. Rules of Decision Act, 28 U.S.C. §1652.
 3.5. Stare decision on the subject of domicile.
 3.6. The rules of statutory construction.
4. That the geographical "United States" used in the constitution is the same as that used in federal statutory law. They are NOT. See:

 Why the Fourteenth Amendment is NOT a Threat to Your Freedom, Form #08.015
 http://sedm.org/Forms/FormIndex.htm

5. That the jurisdiction of a judge is whatever he says it is and that the Federal Rules of Civil Procedure that we cite do NOT constrain any judge's jurisdiction. Thus, we have a society of men and not law, which is tyranny and anarchy.
6. That it's OK for federal forms to make the APPLICANT FALSELY PRESUME a POLITICAL/CONSTITUTIONAL status while agencies receiving the form maliciously ENFORCE and PRESUME a STATUTORY or LEGAL status. These two things are mutually exclusive and it can only be ONE or the OTHER. This type of contradiction is what Orwell called "doublethink". See:
 6.1. Sections 12 and 13 of this pamphlet.
 6.2. *Foundations of Freedom, Video 4: Willful Government Deception and Propaganda, Form #12.021*
 http://www.youtube.com/watch?v=DvnTL_Z5asc

7. That judges and attorneys can add ANYTHING they want to the geographical definitions found in Title 8 of the U.S. Code such as states of the Union, even though they are not EXPRESSLY included and therefore PURPOSEFULLY excluded per the Rules of Statutory Construction. This is a recipe for communism and anarchy. See:

Meaning of the Words "includes" and "including", Form #05.014 http://sedm.org/Forms/FormIndex.htm

If Larry Becraft, or any attorney for that matter, admits any of the above contradictions and the FRAUD they represent, he will also have to admit that he has been misrepresenting the law and injuring his clients for most of his career. Hence, all he can present is an "immune response" by refusing to talk about the above issues and resorting to "shooting the messenger". Judges do the same thing, by calling arguments "frivolous" but refusing to present evidence on the record PROVING the arguments are in deed incorrect. In that sense, they are violating the separation of powers by acting in a POLITICAL capacity, where "frivolous" simply means you are a heretic that refuses to join the state sponsored religion of false presumption, which presumption serves as a substitute for religious faith and also violates due process of law. Such tactics are how judges and attorneys do "risk management" and protect their "plausible deniability". This prevents them from having to defend themselves from suits brought by clients or litigants they have injured in the past with their false presumptions, misrepresentations, and legal ignorance. The worst thing an attorney can do is admit they are mistaken, so they seldom take any position on any matter and always defer to any and every judge they are in front of, like Jello that molds to fill any space. Are you beginning to understand why the only people Jesus got angry at were the lawerys? Father, forgive them, for they know not what they do.

In addition to the questions later in section 19, below are the key questions Mr. Becraft refuses to answer because it exposes his false and self-serving and unconstitutional presumptions about citizenship:

1. By "national" within federal law, are you sure you don't mean "national of the United States" per 8 U.S.C. §1101(a)(22). If so, we agree with your argument but you need to clarify this is the case to prevent the confusion you are causing.
2. Is a state domiciled party born anywhere in the COUNTRY America included within the definition of "national" found in 8 U.S.C. §1101(a)(21) and if not WHY not?
3. Is the "state" mentioned in 8 U.S.C. §1101(a)(21) legislatively but not constitutionally foreign because it is lower case?
4. Specifically WHAT would a human with American nationality domiciled in a legislatively foreign state such as a state of the Union be called within Title 8?
5. If you say such a person would be a "citizen and national of the United States" per 8 U.S.C. §1401, then what would a citizen of the District of Columbia be called if not that in 8 U.S.C. §1401? Citizens of the District of Columbia and of the constitutional states are NOT equivalent per the U.S. Supreme Court.

> *"The 1st section of the 14th article [Fourteenth Amendment], to which our attention is more specifically invited, opens with a definition of citizenship—not only citizenship of the United States[***], but citizenship of the states.* ***No such definition was previously found in the Constitution, nor had any attempt been made to define it by act of Congress.*** *It had been the occasion of much discussion in the courts, by the executive departments and in the public journals.* ***It had been said by eminent judges that no man was a citizen of the United States[***] except as he was a citizen of one of the states composing the Union. Those therefore, who had been born and resided always in the District of Columbia or in the territories, though within the United States[*], were not citizens.****"*
> *[Slaughter-House Cases, 83 U.S. (16 Wall.) 36, 21 L.Ed. 394 (1873)]*

In his defense, we also talked with Mr. Becraft about this section. He recognizes the existence of state citizens just as we do, but differs on what they should be called. He says that instead of calling themselves "non-citizen nationals" they should simply call themselves "American citizens". He says that even early enactments of Congress recognize the distinctions between statutory "U.S. citizens" and state citizens by calling state citizens "American citizens" or "citizens of the United States of America". For an example of such an approach, see:

1 Stat. 477, SEDM Exhibit #01.004 http://sedm.org/Forms/FormIndex-SinglePg.htm

17.3 Freedom Advocate Flawed Argument: Misconceptions about "privileges and immunities" under the Fourteenth Amendment

Many misinformed freedom lovers misinterpret the phrase "privileges and imunities" found in the Fourteenth Amendment as an excuse to say that:

1. Those who claim to be "citizens" under the amendment are availing themselves of a franchise privilege and thereby become subject to federal law.
2. Because they are availing themselves of a franchise privilege, then they have implicitly surrendered the protections of the Constitution for their natural rights.

We strongly DISAGREE.

The following U.S Supreme Court case identifies the extent and nature of this so-called "privilege", and SPECIFICALLY WHO it is a privilege FOR. It ISN'T a privilege for constitutional citizens, but for FOREIGN nationals and CONSTITUTIONAL aliens, according to the U.S. Supreme Court. The "privilege" is associated ONLY with the process of "naturalization" and NOT with rights imputed AFTER naturalization to the person as a CONSTITUTIONAL citizen.

> *"The opportunity to become a citizen of the United States is said to be merely a privilege, and not a right. It is true that the Constitution does not confer upon aliens the right to naturalization. But it authorizes Congress to establish a uniform rule therefor. Article 1, § 8, cl. 4. The opportunity having been conferred by the Naturalization Act, there is a statutory right in the alien to submit his petition and evidence to a court, to have that tribunal pass upon them, and, if the requisite facts are established, to receive the certificate. See United States v. Shanahan (D. C.) 232 F. 169, 171. There is, of course, no 'right to naturalization unless all statutory requirements are complied with.' United States v. Ginsberg, 37 S.Ct. 422, 243 U.S. 472, 475 (61 L.Ed. 853); Luria v. United States, 34 S.Ct. 10, 231 U.S. 9, 22 58 L.Ed. 101. The applicant for citizenship, like other suitors who institute proceedings in a court of justice to secure the determination of an asserted right, must allege in his petition the fulfillment of all conditions upon the existence of which the alleged right is made dependent, and he must establish these allegations by competent evidence to the satisfaction of the court. In re Bodek (C. C.) 63 F. 813, 814, 815; In re _____, 7 Hill (N. Y.) 137. In passing upon the application the court exercises judicial judgment. It does not confer or withhold a favor."*
>
> *[Tutun v. United States Neuberger v.Same, 270 U.S. 568 (1926) SOURCE: http://scholar.google.com/scholar_case?case=8292236307895948943&q=270+U.S%3E+568&hl=en&as_sdt=4,60]*

AFTER becoming a constitutional citizen through the CONSTITUTIONAL naturalization process, the rights attached to the status of constitutional "citizen" are no longer PRIVILEGES, but RIGHTS. They are rights because the citizenship itself CANNOT be unilaterally terminated without the CONSENT of the citizen. Privileges are revocable, while RIGHTS are not. Hence, misinformed freedom advocates who don't understand constitutional law misunderstand what the word "privileges" means in the Fourteenth Amendment.

> *"In the United States the people are sovereign, and the government cannot sever its relationship to the people by taking away their [CONSTITUTIONAL] citizenship."*
> *[Afroyim v. Rusk, 387 U.S. 253 (1967)]*

The other important thing to take away from this analysis is that Congress has statutes that DO, in fact, revoke SOME KIND of citizenship, but THAT citizenship is NOT constitutional citizenship. It is STATUTORY citizenship.

> *8 U.S.C. §1481 - Loss of nationality by native-born or naturalized citizen; voluntary action; burden of proof; presumptions*
>
> *(a)A person **who is a national of the United States** whether by birth or naturalization, **shall lose his nationality by voluntarily performing any of the following acts with the intention of relinquishing United States nationality—***
>
> *(1)obtaining naturalization in a foreign state upon his own application or upon an application filed by a duly authorized agent, after having attained the age of eighteen years; or*
>
> *(2)taking an oath or making an affirmation or other formal declaration of allegiance to a foreign state or a political subdivision thereof, after having attained the age of eighteen years; or*
>
> *(3)entering, or serving in, the armed forces of a foreign state if*
> *(A) such armed forces are engaged in hostilities against the United States, or*
> *(B) such persons serve as a commissioned or non-commissioned officer; or*
>
> *(4)*

(A)accepting, serving in, or performing the duties of any office, post, or employment under the government of a foreign state or a political subdivision thereof, after attaining the age of eighteen years if he has or acquires the nationality of such foreign state; or
(B) accepting, serving in, or performing the duties of any office, post, or employment under the government of a foreign state or a political subdivision thereof, after attaining the age of eighteen years for which office, post, or employment an oath, affirmation, or declaration of allegiance is required; or

(5)making a formal renunciation of nationality before a diplomatic or consular officer of the United States in a foreign state, in such form as may be prescribed by the Secretary of State; or

(6)making in the United States a formal written renunciation of nationality in such form as may be prescribed by, and before such officer as may be designated by, the Attorney General, whenever the United States shall be in a state of war and the Attorney General shall approve such renunciation as not contrary to the interests of national defense; or

(7)committing any act of treason against, or attempting by force to overthrow, or bearing arms against, the United States, violating or conspiring to violate any of the provisions of section 2383 of title 18, or willfully performing any act in violation of section 2385 of title 18, or violating section 2384 of title 18 by engaging in a conspiracy to overthrow, put down, or to destroy by force the Government of the United States, or to levy war against them, if and when he is convicted thereof by a court martial or by a court of competent jurisdiction.

(b)Whenever the loss of United States nationality is put in issue in any action or proceeding commenced on or after September 26, 1961 under, or by virtue of, the provisions of this chapter or any other Act, the burden shall be upon the person or party claiming that such loss occurred, to establish such claim by a preponderance of the evidence. Any person who commits or performs, or who has committed or performed, any act of expatriation under the provisions of this chapter or any other Act shall be presumed to have done so voluntarily, but such presumption may be rebutted upon a showing, by a preponderance of the evidence, that the act or acts committed or performed were not done voluntarily.

[SOURCE: http://www.law.cornell.edu/uscode/text/8/1481]

Note that the above provisions for LOSING nationality:

1. Existed BEFORE the Afroyim case indicated above.
2. Were not CHANGED by the Afroyim holding, and therefore did not pertain to constitutional citizens.
3. Have as a PREREQUISITE the following requirement: *"with the intention of relinquishing United States nationality—"*. No one but YOU can determine your intention, and THEY have the burden of proving that the acts specified above WERE ACCOMPANIED by the EXPRESSLY MANIFEST INTENTION indicated and that YOU specificed that intention.

Hence, the rights associated with the status of CONSTITUTIONAL "citizen" are irrevocable and therefore NOT "privileges" or franchises, but RIGHTS.

Note ALSO WHO the above provisions are targeted AT:

"(a)A person who is a national of the United States "

Note that:

1. The "national of the United States" they are talking about is a person found in either 8 U.S.C. §1408 (American Samoa or Swain's Island) or 8 U.S.C. §1401.
2. People in states of the Union are NOT STATUTORY "nationals of the United States".
3. People in states of the Union are "non-citizen nationals of the United States OF AMERICA"

17.4 Freedom Advocate Flawed Argument: State citizens are Not Fourteenth Amendment "citizens of the United States"

False Argument: People in states of the Union are NOT Fourteenth Amendment "citizens of the United States". A Fourteenth Amendment "citizen of the United States" is domiciled on federal territory and subject to the exclusive LEGISLATIVE jurisdiction of Congress.

Corrected Alternative Argument: All state citizens are, at this time, Fourteenth Amendment citizens. The fact that one is a Fourteenth Amendment "citizen of the United States" does not mean that they are subject to the exclusive LEGISLATIVE jurisdiction of Congress under Article 1, Section 8, Clause 17, but rather the POLITICAL jurisdiction. Political jurisdiction encompasses allegiance, nationality, being a "national", and political rights. Exclusive LEGISLATIVE jurisdiction of Congress, on the other hand, has domicile and/or physical presence on federal territory as a prerequisite.

Further information:
1. *Why the Fourteenth Amendment is NOT a Threat to Your Freedom*, Form #08.015--explains and rebuts THE MOST prevalent flawed argument we hear from freedom advocates.
2. http://sedm.org/Forms/FormIndex.htm*Why You are a "national", "state national", and Constitutional but not Statutory Citizen*, Form #05.006
 http://sedm.org/Forms/FormIndex.htm
3. *Fourteenth Amendment Annotated*, Findlaw
 http://www.findlaw.com/casecode/constitution/
4. *Citizenship and Sovereignty Course*, Form #12.001
 http://sedm.org/Forms/FormIndex.htm
5. *Affidavit of Citizenship, Domicile, and Tax Status*, Form #02.001
 http://sedm.org/Forms/FormIndex.htm
6. *Citizenship, Domicile, and Tax Status Options*, Form #10.003
 http://sedm.org/Forms/FormIndex.htm
7. *Family Guardian Forums, Forum 6.1: Citizenship, domicile, and nationality*
 http://famguardian.org/forums/index.php?showforum=6

A number of freedom advocates situated in states of the Union and who are state citizens and therefore non-citizen nationals falsely allege one or more of the following:

1. The Fourteenth Amendment is a threat to the freedom of the average American domiciled in a state of the Union.
2. People domiciled within states of the Union are NOT Fourteenth Amendment "citizens of the United States".
3. A Fourteenth Amendment "citizen of the United States" is domiciled on federal territory and subject to the exclusive LEGISLATIVE jurisdiction of Congress.

This is what we call a "conspiracy theory" and it is actually an over-reaction to the verbicide abused by the government as described in:

Flawed Tax Arguments to Avoid, Form #08.004, Section 6.1
http://sedm.org/Forms/FormIndex.htm

In fact, this view is COMPLETELY FALSE, as we will explain.

The first thing we must understand to fully comprehend constitutional citizenship is that there are the TWO types of jurisdiction:

1. POLITICAL JURISDICTION: based upon allegiance, nationality, and being a national under 8 U.S.C. §1101(a)(21) and 8 U.S.C. §1101(a)(22)(B).
2. LEGISLATIVE JURISDICTION: based upon domicile and being a statutory "citizen" under the civil law.

One can be subject to the POLITICAL JURISDICTION without being subject to the LEGISLATIVE JURISDICTION. An example would be an American national born and domiciled in a state of the Union on land within the exclusive jurisdiction of the state that is not federal territory. THAT person would be subject to the POLITICAL JURISDICTION of the United States*** by virtue of possessing BOTH of the following characteristics:

1. Being born or naturalized anywhere within the "United States***" AND
2. Having allegiance to the United States***.

That person does not have a domicile on federal territory and therefore:

1. Is NOT a "person" under federal statutory civil law.
2. Is therefore not subject to exclusive federal civil LEGISLATIVE JURISDICTION under Article 1, Section 8, Clause 17 of the United States Constitution.
3. Would be subject to federal criminal law within Title 18 of the U.S. Code only by setting foot temporarily on federal territory and committing a crime while there.

The next thing we must understand about citizenship are the various jurisdictional phrases used to describe it in the U.S.A. Constitution and within federal statutory law. These phrases are summarized below.

Table 17: Meaning of jurisdictional phrases beginning with "subject to"

#	Phrase	Context	Type of jurisdiction	Jurisdiction created by	Extent of Jurisdiction
1	"Subject to THE jurisdiction"	Fourteenth Amendment, Section 1	Political jurisdiction	Oath of allegiance to "United States***" and birth or naturalization in the United States***	States of the Union ONLY.
2	"Subject to ITS jurisdiction"	Federal statutory law	Legislative jurisdiction	Domicile on federal territory ONLY	Federal territories, federal possessions
3	"Subject to THEIR jurisdiction"	Thirteenth Amendment	Political jurisdiction	Oath of allegiance to a state of the Union. Becoming a "citizen under state law.	States of the Union ONLY
4	"within ITS jurisdiction"	Fourteenth Amendment, Section 1	Political jurisdiction	Oath of allegiance to a state of the Union. Becoming a "citizen under state law.	States of the Union ONLY

Below is the case law upon which the above table is based:

1. Meaning of "subject to THE jurisdiction":

> *"This section contemplates two sources of citizenship, and two sources only: birth and naturalization. The persons declared [112 U.S. 94, 102] to be citizens are 'all persons born or naturalized in the United States, and subject to the jurisdiction thereof.' **The evident meaning of these last words is, not merely subject in some respect or degree to the jurisdiction of the United States, but completely subject to their political jurisdiction, and owing them direct and immediate allegiance. And the words relate to the time of birth in the one case, as they do to the time of naturalization in the other.** Persons not thus subject to the jurisdiction of the United States at the time of birth cannot become so afterwards, except by being naturalized, either individually, as by proceedings under the naturalization acts; or collectively, as by the force of a treaty by which foreign territory is acquired."*
> *[Elk v. Wilkins, 112 U.S. 94 (1884)]*

> *"This section contemplates two sources of citizenship, and two sources only,-birth and naturalization. The persons declared to be citizens are 'all persons born or naturalized in the United States, and **subject to the jurisdiction thereof**.' The evident meaning of these last words is, not merely subject in some respect or degree to the jurisdiction of the United States, but completely subject to their [plural, not singular, meaning states of the Union] **political jurisdiction**, and owing **them [the state of the Union and NOT the national government]** direct and immediate allegiance. And the words relate to the time of birth in the one case, as they do [169 U.S. 649, 725] to the time of naturalization in the other. Persons not thus subject to the jurisdiction of the United States at the time of birth cannot become so afterwards, except by being naturalized, either individually, as by proceedings under the naturalization acts, or collectively, as by the force of a treaty by which foreign territory is acquired."*
>
> *[. . .]*
>
> *"**It is impossible to construe** the words **'subject to the jurisdiction thereof,'** in the opening sentence, **as less comprehensive than** the words **'within its jurisdiction,'** in the concluding sentence of the same section; or to hold that persons 'within the jurisdiction' of one of the states of the Union are not 'subject to the jurisdiction of the United States[***].'"*
> *[U.S. v. Wong Kim Ark, 169 U.S. 649, 18 S.Ct. 456, 42 L.Ed. 890 (1898), emphasis added]*

2. Meaning of "subject to THEIR jurisdiction" found in the Thirteenth Amendment:

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> *"Other authorities to the same effect might be cited. It is not open to doubt that Congress may enforce the Thirteenth Amendment by direct legislation, punishing the holding of a person in slavery or in involuntary servitude except as a punishment for a crime. In the exercise of that power Congress has enacted these sections denouncing peonage, and punishing one who holds another in that condition of involuntary servitude.* ***This legislation is not limited to the territories or other parts of the strictly national domain, but is operative in the states and wherever the sovereignty of the United States extends. We entertain no doubt of the validity of this legislation, or of its applicability to the case of any person holding another in a state of peonage, and this whether there be municipal ordinance or state law sanctioning such holding. It operates directly on every citizen of the Republic, wherever his residence may be."***
> *[Clyatt v. U.S., 197 U.S. 207 (1905)]*

> *"**The 13th Amendment to the Constitution, prohibiting slavery and involuntary servitude 'within the United States, or in any place subject to their jurisdiction,' is also significant as showing that there may be places within the jurisdiction of the United States that are no part of the Union**. To say that the phraseology of this amendment was due to the fact that it was intended to prohibit slavery in the seceded states, under a possible interpretation that those states were no longer a part of the Union, is to confess the very point in issue, since it involves an admission that, if these states were not a part of the Union, they were still subject to the jurisdiction of the United States [because they were federal territory until the rejoined the Union].*
>
> *Upon the other hand, the 14th Amendment, upon the subject of citizenship, declares only that 'all persons born or naturalized in the United States, and subject to* ***the*** *jurisdiction thereof, are citizens of the United States, and of the state wherein they reside.'* ***Here there is a limitation to persons born or naturalized in the United States, which is not extended to persons born in any place 'subject to their jurisdiction.'***
> *[Downes v. Bidwell, 182 U.S. 244 (1901)]*

Within the United States Constitution, there are two types of citizens mentioned:

1. Upper case "Citizen" of the original constitution

- 1.1. Mentioned in:
 - 1.1.1. Article 1, Section 2, Clause 2.
 - 1.1.2. Article 1, Section 3, Clause 3.
- 1.2. No doubt, was a white male ONLY. Excluded:
 - 1.2.1. Blacks. 15th Amendment.
 - 1.2.2. Women. 19th Amendment.
- 1.3. Rights defined are in the CONTEXT of ONLY the relationship between the national government and people in the several constitutional States.
- 1.4. Upper case because these people were the sovereigns who wrote the original constitution.

2. Lower case "citizen of the United States" in the constitution:

- 2.1. Mentioned first in the Fourteenth Amendment, Section 1.
- 2.2. Mentioned also in Constitutional Amendments 15, 19, and 26.
- 2.3. Includes people other than white males, such as blacks (15th Amend.), women (19th Amend.).
- 2.4. Since the passage of the Fourteenth Amendment, has been made a SUPERSET of the capital "C" Citizen in the earlier constitution, not a subset.
- 2.5. Rights defined are in the context of ONLY the relationship between the STATE government and the people in the several States. NOT the national government.
- 2.6. Lower case because the people protected are NOT the capital "C" citizen, are located in a foreign state, and THESE people were not among the original capitalized sovereigns. Therefore, they cannot be given the same name or use the same capitalization. It is a maxim of law that what is similar is not the same.
- 2.7. Is not inferior AT THIS TIME to a capital "C" Citizen. At one time it was, but right now, everyone is equal because of Amendments 14 and on.

The U.S. Supreme Court admitted that the "citizen of the United States***" described Fourteenth Amendment included EVERYONE and people of ALL RACES, and therefore was a superset of the capital "C" citizen of the original constitution, which was a white male only:

> *"The fourteenth amendment, by the language, 'all persons born in the United States, and subject to the jurisdiction thereof,' was intended to bring* ***all races, without distinction of color, within the rule which prior to that time pertained to the white race.*** *' Benny v. O'Brien (1895), 58 N.J.Law 36, 39, 40, 32 Atl. 696.*

> *The foregoing considerations and authorities irresistibly lead us to these conclusions:* ***The fourteenth amendment affirms the ancient and fundamental rule of citizenship by birth within the territory, in the***

> ***allegiance and under the protection of the country [not the "United States**", but the "United States***"]***, *including all children here born of resident aliens, with the exceptions or qualifications (as old as the rule itself) of children of foreign sovereigns or their ministers, or born on foreign public ships, or of enemies within and during a hostile occupation of part of our territory, and with the single additional exception of children of members of the Indian tribes owing direct allegiance to their several tribes.* ***The amendment, in clear words and in manifest intent, includes the children born within the territory of the United States of all other persons, of whatever race or color, domiciled within the United States.*** *Every citizen or subject of another country, while domiciled here, is within the allegiance and the protection, and consequently subject to the jurisdiction, of the United States. His allegiance to the United States is direct and immediate, and, although but local and temporary, continuing only so long as he remains within our territory, is yet, in the words of Lord Coke in Calvin's Case, 7 Coke, 6a, 'strong enough to make a natural subject, for, if he hath issue here, that issue is a natural-born subject'; and his child, as said by Mr. Binney in his essay before quoted, 'If born in* ***the country****, is as much a citizen as the natural-born child of a citizen, and by operation of the same principle.' It can hardly be denied that an alien is completely subject to the political jurisdiction of the country in which he resides, seeing that, as said by Mr. Webster, when secretary of state, in his report to the president on Thrasher's case in 1851, and since repeated by this court: 'Independently of a residence with intention to continue such residence; independently of any domiciliation; independently of the taking of any oath of allegiance, or of renouncing any former allegiance,—it is well known that by the public law an alien, or a stranger born, for so long a time as he continues within the dominions of a foreign government, owes obedience to the laws of that government, and may be punished for treason or other crimes as a native-born subject might be, unless his case is varied by some treaty stipulations.' Executive Documents H. R. No. 10, 1st Sess. 32d Cong. p. 4; 6 Webster's Works, 526; U.S. v. Carlisle, 16 Wall. 147, 155; Calvin's Case, 7 Coke, 6a; Ellesmere, Postnati, 63; 1 Hale, P. C. 62; 4 Bl.Comm. 74, 92.*
>
> *To hold that the fourteenth amendment of the constitution excludes from citizenship the children born in the United States of citizens or subjects of other countries, would be to deny citizenship to thousands of persons of English, Scotch, Irish, German, or other European parentage, who have always been considered and treated as citizens of the United States.*
>
> *[. . .]*
>
> ***But, as already observed, it is impossible to attribute to the words, 'subject to the jurisdiction thereof' (that is to say, of the United States), at the beginning, a less comprehensive meaning than to the words 'within its jurisdiction' (that is, of the state), at the end of the same section; or to hold that persons, who are indisputably 'within the jurisdiction' of the state, are not 'subject to the jurisdiction' of the nation. "***
> *[U.S. v. Wong Kim Ark, 169 U.S. 649 (1898)]*

Obviously, the two types of citizenship started out as unequal in the POLITICAL RIGHTS they had at the time the "citizen of the United States***" mentioned in the Fourteenth Amendment was first created in 1868. They were not unequal in OTHER rights, but only in POLITICAL RIGHTS. Political rights include voting and serving on jury duty. Over time, the above two types of citizens have converged to the point where they are now essentially equal in RIGHTS. That convergence has occurred by:

1. The addition of several new amendments after Amendment 14 that add additional rights to the "citizen of the United States***" status. These amendments include Amendments 15, 19, and 26, for instance.
2. Additional federal legislation that enforce the new rights found in 42 U.S.C. §1983.

The U.S. Supreme Court acknowledged the convergence of rights between "Citizens" within the original U.S.A. Constitution and "citizens of the United States" within the Fourteenth Amendment when it held:

> *There is no occasion to attempt again an exposition of the views of this Court as to the proper limitations of the privileges and immunities clause. There is a very recent discussion in Hague v. Committee Industrial Organization. The appellant purports to accept as sound the position stated as the view of all the justices concurring in the Hague decision.* ***This position is*** *that the privileges and immunities clause* ***protects all citizens*** *against abridgement by states* ***of rights of national citizenship*** ***as distinct from the fundamental or*** *[309 U.S. 83, 91]* ***natural rights inherent in state citizenship.*** *This Court declared in the Slaughter-House Cases15 that the* ***Fourteenth Amendment as well as the Thirteenth and Fifteenth were adopted to protect the negroes in their freedom.*** *This almost contemporaneous interpretation extended the benefits of the privileges and immunities clause to other rights which are inherent in* ***national citizenship but denied it to those which spring from [309 U.S. 83, 92] state citizenship.***
>
> *'We repeat, then, in the light of this recapitulation of events, almost too recent to be called history, but which are familiar to us all; and on the most casual examination of the language of these amendments, no one can fail to be impressed with the one pervading purpose found in them all, lying at the foundation of each, and without*

> *which none of them would have been even suggested;* ***we mean the freedom of the slave race, the security and firm establishment of that freedom****, and the protection of* ***the newly-made*** *freeman and* ***citizen*** *from the oppressions of those who had formerly exercised unlimited dominion over him. ...*
>
> *'And so if* ***other rights are assailed by the States which properly and necessarily fall within the protection of these articles, that protection will apply, though the party interested may not be of African descent.*** *But what we do say, and what we wish to be understood is, that in any fair and just construction of any section or phrase of these amendments, it is necessary to look to the purpose which we have said was the pervading spirit of them all, the evil which they were designed to remedy, and the process of continued addition to the Constitution, until that purpose was supposed to be accomplished, as far as constitutional law can accomplish it.'*
> *[Madden v. Commonwealth of Kentucky, 309 U.S. 83 (1940)]*

Note, however, that even though these two types of constitutional citizens are EFFECTIVELY the same in RIGHTS:

1. We are not saying that they apply to the same CONTEXTS.
 1.1. "Citizen" applies to the relationship between the national government and the state citizen.
 1.2. "citizen of the United States" applies to the relationship between the constitutional state governments and THEIR citizens.
2. We are not saying their NAME or their GENESIS is equivalent.
3. We are not saying that they were ALWAYS equivalent in the RIGHTS they enjoy, but that they have EVOLVED to be equivalent AT THIS TIME.
4. We are not saying that a Fourteenth Amendment constitutional "citizen of the United States" is the equivalent to a statutory "national and citizen of the United States" found in 8 U.S.C. §1401. In fact, the two are mutually exclusive.

With regard to the last item in the above list, we must emphasize that the government only has the authority to LEGISLATIVELY regulate PUBLIC conduct, not private conduct, on government territory. Hence, civil statutes are law for government and not private people. Those mentioned in the constitution are PRIVATE people and statutory "aliens" under all federal civil law. Statutes are written to protect these PRIVATE, "foreign", and "sovereign" people, but not to regulate or control them or impose "duties" upon them. This is discussed in:

Why Statutory Civil Law is Law for Government and Not Private Persons, Form #05.037 http://sedm.org/Forms/FormIndex.htm

In fact, the two types of citizens are just different subsets of the same sovereign state citizens within states of the Union. The only difference is the CONTEXT described above. For both types of citizens:

1. The term "United States", in the constitutional geographic context, means ONLY states of the Union. This jurisdiction excludes federal territory and statutory "States", and therefore statutory jurisdiction of Congress.
2. The method of enforcing civil rights is found in 42 U.S.C. §1983.
 2.1. That provision applies to state officers and not private parties.
 2.2. This provision was enacted pursuant to Fourteenth Amendment, Section 5.
 2.3. The definition of "person" applicable to that provision and found in 42 U.S.C. §1981(a) refers to the "person" in the constitution and not the statutory "person" found either in Title 26 of the U.S. Code (26 C.F.R. §1.1-1(c)) or in the Social Security Act (see 26 U.S.C. §3121(e)).
3. One only becomes a subject of federal LEGISLATIVE jurisdiction by:
 3.1. Being a state officer but not a PRIVATE person subject to 42 U.S.C. §1983. The ability to regulate PRIVATE conduct is "repugnant to the constitution", as held repeatedly by the U.S. Supreme Court.
 3.2. Changing your domicile to federal territory.
 3.3. Setting foot on federal territory and committing a crime under Title 18 of the U.S. Code while there.

Our official position on the position that state citizens are NOT Fourteenth Amendment "citizens of the United States" therefore summarized in the following list based on the evidence presented in this section:

1. Fourteenth Amendment "citizens of the United States" are a SUPERSET of those the "Citizen" mentioned in the original United States Constitution. Based on amendments and legislation created after the Fourteenth Amendment, it adds the following demographic groups to the "Citizen" found in the original U.S.A. Constitution:
 1.1. Blacks. See the 15th Amendment.
 1.2. Women. See the 19th Amendment.
 1.3. Voters under age 21, INCLUDING white males. See 26th Amendment.

2. Those who are white males and therefore eligible to claim the "Citizen" status found in the original constitution will be faced with the following upon their approach that will limit its usefulness and applicability to a small subset of those that our official position can reach:
 2.1. It makes those who use it look like a racist.
 2.2. It is limited to WHITE OVERAGE MALES. It would not be useful for blacks, women, or UNDERAGE WHITE MALES.
 2.3. It confers NO DEMONSTRABLE ADDITIONAL RIGHTS that WHITE males did not possess at the founding of the country.
3. One can be a Constitutional "Citizen" or Fourteenth Amendment "citizen of the United States" and STILL be a statutory alien under federal law. This seeming contradiction is explained by:
 3.1. The separation of legislative powers between the states of the Union and the federal government, which makes each foreign, sovereign, and alien in relation to the other.
 3.2. The differences in geographical definitions between federal statutory law and the Constitution itself.
4. Being a either a "Citizen" or a "citizen of the United States" within the U.S.A. Constitution equates with being a "national" under federal statutory law at 8 U.S.C. §§1101(a)(21) and a statutory "alien" under the Internal Revenue Code and Social Security Act because:
 4.1. You only become a statutory "citizen" under 8 U.S.C. §1401, 26 U.S.C. §3121(e), and 26 C.F.R. §1.1-1(c) by having a domicile on federal territory, so this moniker should be avoided, but the constitutional citizen moniker is not a problem.
 4.2. There is no harm in being a "non-citizen national" under 8 U.S.C. §1101(a)(21), 8 U.S.C. §1101(a)(22), or 8 U.S.C. §1452. Those with this status maintain their sovereignty and sovereign immunity and do not meet any of the exceptions to the Foreign Sovereign Immunities Act (F.S.I.A.) found in 28 U.S.C. §1605 or 28 U.S.C. §1603(b)(3).
 4.3. The term "United States" in the constitution, WHEN USED IN A GEOGRAPHIC SENSE, means states of the Union and excludes federal territory, as we already pointed out.
 4.4. There are NO LONGER any differences between the two statuses but as we said, at one time there was.
5. Most of the confusion and misunderstandings about the Fourteenth Amendment within the freedom community arise from the following misunderstandings:
 5.1. Confusing POLITICAL jurisdiction with LEGISLATIVE jurisdiction. POLITICAL jurisdiction associates with allegiance and nationality. LEGISLATIVE jurisdiction associates with DOMICILE.
 5.2. Confusing CONSTITUTIONAL context with STATUTORY context. You can be a "Citizen" or a "citizen of the United States" under the Constitution while at the same time being an ALIEN under STATUTORY context.
 5.3. Confusing CONSTITUTIONAL RIGHTS with STATUTORY CIVIL RIGHTS. STATUTORY CIVIL RIGHTS activate with a domicile on federal territory. CONSTITUTIONAL rights activate by being physically present on GROUND protected by the Constitution, not by either allegiance or domicile.

> *"It is locality that is determinative of the application of the Constitution, in such matters as judicial procedure, and not the status of the people who live in it."*
> *[Balzac v. Porto Rico, 258 U.S. 298 (1922)]*

 5.4. Not tying the word "person" to the section code to which the "person" is subject to. The "person" subject to 42 U.S.C. §1981(a) refers to the "person" in the constitution, which is NOT the same person found in either Title 26 of the U.S. Code (26 C.F.R. §1.1-1(c)) or in the Social Security Act (see 26 U.S.C. §3121(e)).
 5.5. Not recognizing the genesis of 42 U.S.C. §1983, which is the Fourteenth Amendment. The reason that this statute mentions "white citizens" is precisely because it IMPLEMENTS the Fourteenth Amendment, and that amendment extended equal protection and equal rights to everyone OTHER than white Citizens.

 Section 1983 Litigation, Litigation Tool #08.008
 http://sedm.org/Litigation/LitIndex.htm

6. We take the position that our Members are Fourteenth Amendment "citizens of the United States". Our position, in contrast:
 6.1. Can be used by ANYONE and EVERYONE who claims to be a state citizen.
 6.2. Does not result in a surrender of ANY right that a WHITE MALE OVERAGE "Citizen" in the original Constitution has.
 6.3. Avoids a lot of controversy and confusion that is pointless, and makes the advocate look like a conspiracy nut.
 6.4. Can be used simply and reliably by people with far less legal knowledge, because it is LESS complex and less controversial.
 6.5. Keeps the focus where it belongs, which is on GOVERNMENT VERBICIDE and WORD GAMES that destroy rights and violate due process of law. See:

Meaning of the Words "includes" and "including", Form #05.014
http://sedm.org/Forms/FormIndex.htm

7. It is still possible to be a state citizen and yet NEITHER a "Citizen" as found in the original United States Constitution or a "citizen of the United States" found in the Fourteenth Amendment. Those satisfying this condition include:
 7.1. "Citizens", who are WHITE MALES who continue to distinguish themselves with this status and who REFUSE to adopt the "citizen of the United States" status adopted later...AND
 7.2. Aliens born in a foreign country who are citizens of a state of the Union but who were never naturalized.
8. The subject of constitutional citizenship is a broadly contested subject in courts across the nation, including up to this day. The reason it is still widely contested is because:
 8.1. Those who controvert it or argue that they are NOT Fourteenth Amendment "citizens of the United States" in fact, DO NOT understand the context, or the nuances of the subject and are making a mountain out of a mole hill.
 8.2. Disputes over the subject are used by the government to distract attention away from MUCH more important and central issues, like what a "trade or business" is and how they can force you to occupy a public office without your consent without violating the Thirteenth Amendment.
 8.3. Those who make a mountain of the mole hill that is this subject are what the government truthfully and accurately calls "conspiracy nuts" and little more.
9. Whether you, as a member and a reader decide to call yourself a "Citizen" of the original U.S.A. Constitution or a "citizen of the United States" within the Fourteenth Amendment is not our concern. You can choose either. Regardless of WHICH status you decide to choose, all members who wish to use our materials are REQUIRED to attach the following forms to the government forms they fill out as a way to prevent being victimized by the false presumptions of others, and to remove ALL discretion from every judge and bureaucrat to decide your citizenship status or civil status in a court of law or in an administrative franchise court:
 9.1. *Affidavit of Citizenship, Domicile, and Tax Status*, Form #02.001-use with tax or withholding forms
 http://sedm.org/Forms/FormIndex.htm
 9.2. *USA Passport Application Attachment*, Form #06.007
 http://sedm.org/Forms/FormIndex.htm
 9.3. *Voter Registration Attachment*, Form #06.003
 http://sedm.org/Forms/FormIndex.htm
 9.4. *Citizenship, Domicile, and Tax Status Options*, Form #10.003-use at depositions and with court pleadings.
 http://sedm.org/Forms/FormIndex.htm

Below is a list of case law relevant to the subject of what a constitutional "citizen of the United States" is and its relationship to that of state citizenship. All of the case law provided is entirely consistent with our position on citizenship. The cases are listed in chronological sequence, so you can see the historical evolution of jurisprudence on the subject over time:

> *"The [14th] amendment referred to slavery. Consequently, **the only persons embraced by its provisions, and for which Congress was authorized to legislate** in the manner were those then in slavery."*
> *[Bowlin v. Commonwealth, 65 Kent.Rep. 5, 29 (1867)]*

> *"No white person. . . owes the status of citizenship to the recent amendments to the Federal Constitution."*
> *[Van Valkenbrg v. Brown (1872), 43 Cal. Sup.Ct. 43, 47]*

> *"The rights of the state, as such, are not under consideration in the 14th Amendment, and are fully guaranteed by other provisions."*
> *[United States v. Anthony, 24 Fed. Cas. 829 (No. 14,459), 830 (1873)]*

> *"The **first clause of the fourteenth amendment** made negroes **citizens of the United States****, and citizens of the State in which they reside, and **thereby created two classes of citizens,** one of the United States** and the other of the state."*
> *[Cory et al. v. Carter, 48 Ind. 327, (1874) headnote 8, emphasis added]*

> *"We have in our political system a Government of the United States** and a government of each of the several States. Each one of **these governments is distinct from the others**, and **each has citizens of its own** "*
> *[U.S. v. Cruikshank, 92 U.S. 542 (1875) emphasis added]*

> *"One may be a citizen of a State and **yet not a citizen of the United States.** Thomasson v. State, 15 Ind. 449; Cory v. Carter, 48 Ind. 327 (17 Am. R. 738); McCarthy v. Froelke, 63 Ind. 507; In Re Wehlitz, 16 Wis. 443."*
> *[McDonel v. State, 90 Ind. 320, 323(1883) underlines added]*

*"A person who is a citizen of the United States** is necessarily a citizen of the particular state in which he resides. But **a person may be a citizen of a particular state and not a citizen of the United States**. To hold otherwise would be to deny to the state the highest exercise of its sovereignty, -- the right to declare who are its citizens."*
[State v. Fowler, 41 La.Ann. 380, 6 S. 602 (1889), emphasis added]

"The rights and privileges, and immunities which the fourteenth constitutional amendment and Rev. St. section 1979 [U.S. Comp. St. 1901, p. 1262], for its enforcement, were designated to protect, are such as belonging to citizens of the United States as such, and not as citizens of a state".
[Wadleigh v. Newhall 136 F. 941 (1905)]

*"The first clause of the fourteenth amendment of the federal Constitution made negroes citizens of the United States**, and citizens of the state in which they reside, **and thereby created two classes of citizens, one of the United States** and the other of the state."***
[4 Dec. Dig. '06, p. 1197, sec. 11, "Citizens" (1906), emphasis added]

*"A fundamental right inherent in "state citizenship" is a privilege or immunity **of that citizenship only**. Privileges and immunities of "citizens of the United States," **on the other hand, are only such as arise out of the nature and essential character of the national government,** or as specifically granted or secured to all citizens or persons by the Constitution of the United States."*
[Twining v. New Jersey, 211 U.S. 78 (1908)]

"There are, then, under our republican form of government, two classes of citizens, one of the United States and one of the state".
[Gardina v. Board of Registrars of Jefferson County, 160 Ala. 155, 48 So. 788 (1909)]

*"**There are,** then, under our republican form of government, **two classes of citizens**, one of the United States** and one of the state. **One class** of citizenship **may exist in a person, without the other, as in the case of a resident of the District of Columbia**; but both classes **usually exist** in the same person. "*
[Gardina v. Board of Registrars, 160 Ala. 155, 48 S. 788, 791 (1909), emphasis added]

*"... **citizens of the District of Columbia** were not granted the privilege of litigating in the federal courts on the ground of diversity of citizenship. Possibly no better reason for this fact exists than **such citizens were not thought of when** the judiciary article [III] of **the federal Constitution was drafted. ... citizens of the United States** ... were also not thought of**; but in any event **a citizen of the United States**, who is not a citizen of any state, is not within the language of the [federal] Constitution."***
[Pannill v. Roanoke, 252 F. 910, 914 (1918)]

"United States citizenship does not entitle citizen to rights and privileges of state citizenship."
[K. Tashiro v. Jordan, 201 Cal. 236, 256 P. 545, 48 Supreme Court. 527 (1927)]

*"A citizen of the United States is ipso facto and at the same time a citizen of the state in which he resides. While the 14th Amendment does not create a national citizenship, it has the effect of making **that citizenship** 'paramount and dominant' instead of 'derivative and dependent' upon state citizenship."*
[Colgate v. Harvey, 296 U.S. 404, 427 (1935)]

"As applied to a citizen of another State, or to a citizen of the United States residing in another State, a state law forbidding sale of convict made goods does not violate the privileges and immunities clauses of Art. IV, Sec. 2 and the Fourteenth Amendment of the Federal Constitution if it applies also and equally to the citizens of the State that enacted it." (Syllabus)
[Whitfield v. State of Ohio, 297 U.S. 431 (1936)]

*"There is **a distinction between** citizenship of the United States** and citizenship of a particular state, and **a person may be the former without being the latter. "***
[Alla v. Kornfeld, 84 F.Supp. 823 (1949) headnote 5, emphasis added]

*"A person **may be a citizen of the United States**** and **yet be not** identified or identifiable as **a citizen of any particular state."***
[Du Vernay v. Ledbetter, 61 So.2d. 573 (1952), emphasis added]

"On the other hand, there is a significant historical fact in all of this. Clearly, one of the purposes of the 13th and 14th Amendments and of the 1866 act and of section 1982 was to give the Negro citizenship. . ."
[Jones v. Alfred H. Mayer Co., 379 F.2d. 33, 43 (1967)]

*"[W]e find nothing…which requires that a citizen of a state **must also be a citizen of the United States**, if no question of **federal rights** or jurisdiction is involved."*
[Crosse v. Bd. of Supvrs of Elections, 221 A.2d. 431 (1966)]

If you would like to learn more about citizenship, we encourage you to read:

Why You are a "national", "state national", and Constitutional but not Statutory Citizen, Form #05.006, Sections 2 and 3 http://sedm.org/Forms/FormIndex.htm

If you would like a simplified presentation that addresses the subject of this session for neophytes, see:

Why the Fourteenth Amendment is NOT a Threat to Your Freedom, Form #08.015 http://sedm.org/Forms/FormIndex.htm

If you would like to read an excellent debate between a freedom fighter who advocates the flawed argument addressed by this section and this ministry, please read:

Family Guardian Forums, Forum 6.1: Citizenship, domicile, and nationality http://famguardian.org/forums/index.php?showtopic=3951

18. RESOURCES FOR FURTHER STUDY AND REBUTTAL

If you liked the content of this whitepaper, thousands of additional pages of research and evidence are available that supports absolutely everything revealed here. You are encouraged to read and rebut the supporting research and evidence found below:

1. *Treatise on American Citizenship*, John Wise, 1906:
 http://famguardian.org/Publications/TreatiseOnCitizenship/citiztoc.htm
2. *A Treatise on the Law of Domicil*, M.W. Jacobs, 1887, Little Brown and Company:
 HTML: http://books.google.com/books?id=MFQvAAAAIAAJ&printsec=titlepage
 PDF: http://famguardian.org/Publications/TreatOnLawOfDomicile/A_Treatise_on_the_Law_of_Domicil__Nation.pdf
3. *Nonresident Alien Position*, Form #05.020. Describes the tax status of a "state national", which is that of a "nonresident alien". Available at:
 http://sedm.org/Forms/FormIndex.htm
4. *Why Domicile and Becoming a "Taxpayer" Require Your Consent*:
 HTML: http://famguardian.org/Subjects/Taxes/Articles/DomicileBasisForTaxation.htm
 PDF, Form #05.002: http://sedm.org/Forms/05-MemLaw/Domicile.pdf
5. *Tax Deposition Questions*, Form #03.016, Section 14: Citizenship:
 http://sedm.org/Forms/FormIndex.htm
6. *Great IRS Hoax*, Form #11.302, Sections 4.11 through 4.11.13 on citizenship, available for free downloading at:
 http://sedm.org/Forms/FormIndex.htm
7. *Legal Basis for the Term "Nonresident alien"*, Form #05.036
 http://sedm.org/Forms/FormIndex.htm
8. *Sovereignty Forms and Instructions Online*, Form #10.004: Instructions, Step 3.13, entitled "IMPORTANT!: Correct Government Records documenting your Citizenship status", available at:
 http://famguardian.org/TaxFreedom/Instructions/3.13ChangeUSCitizenshipStatus.htm
9. *Family Guardian Forums, Forum 6.1: Citizenship, domicile, and nationality*:
 http://famguardian.org/forums/index.php?showforum=6
10. *Getting a USA Passport as a "non-citizen national"*, Form #10.012:
 http://sedm.org/Forms/FormIndex.htm
11. *You're Not a STATUTORY "citizen" Under the Internal Revenue Code, Family Guardian Fellowship*:
 http://famguardian.org/Subjects/Taxes/Citizenship/NotACitizenUnderIRC.htm
12. *You're Not a STATUTORY "resident" Under the Internal Revenue Code, Family Guardian Fellowship*:
 http://famguardian.org/Subjects/Taxes/Citizenship/Resident.htm

We encourage your rebuttal and well-researched feedback on the issues discussed in this whitepaper. The truth is all we seek and we are certainly not beyond modifying our position if you can support your rebuttal with court admissible legal evidence.

God bless you!

19. QUESTIONS THAT READERS, GRAND JURORS, AND PETIT JURORS SHOULD BE ASKING THE GOVERNMENT

"Test all things; hold fast what is good. Abstain from every form of evil."
[1 Thess. 5:21-22, Bible, NKJV]

Lastly, we will close this pamphlet with a list of questions aimed at those who still challenge our position on being a "national" or "state national". If you are going to lock horns with us or throw rocks, please start your rebuttal by answering the following questions or your inquiry will be ignored. Remember Abraham Lincoln's famous saying:

"He has a right to criticize who has a heart to help."

If you are a Christian, please ensure that you consider and apply the following requirements of God's law in all your answers:

"You shall have no other gods [including political rulers, governments, or earthly laws] before Me [or My commandments]."
[Exodus 20:3, Bible, NKJV]

*"Do you not know that friendship with the world is enmity with God? **Whoever therefore wants to be a friend ["citizen", "resident", "taxpayer", "inhabitant", or "subject" under a king or political ruler] of the world [or any man-made kingdom other than God's Kingdom] makes himself an enemy of God.** "*
[James 4:4, Bible, NKJV]

*"Above all, **you must live as citizens of heaven [INSTEAD of citizens of earth. You can only be a citizen of ONE place at a time because you can only have a domicile in one place at a time]**, conducting yourselves in a manner worthy of the Good News about Christ. Then, whether I come and see you again or only hear about you, I will know that you are standing together with one spirit and one purpose, fighting together for the faith, which is the Good News."*
[Philippians 1:27, Bible, NLT]

*"**Therefore, my brethren, you also have become dead to the law [man's law] through the body of Christ [by shifting your legal domicile to the God's Kingdom]**, that you may be married to another [Christ]—to Him who was raised from the dead, that we should bear fruit [as agents, fiduciaries, and trustees] to God. For when we were in the flesh, the sinful passions which were aroused by the law were at work in our members to bear fruit to death. But now we have been delivered from the law, having died to what we were held by, so that we should serve in the newness of the Spirit [and newness of the law, God's law] and not in the oldness of the letter."*
[Rom. 7:4-6, Bible, NKJV]

*"**Do not walk in the statutes [PAGAN civil laws] of your fathers [the heathens], nor observe their judgments, nor defile yourselves with their idols. I am the LORD your God: Walk in My statutes, keep My judgments, and do them; hallow My Sabbaths, and they will be a sign between Me and you, that you may know that I am the LORD your God."***
[Ezekial 20:10-20, Bible, NKJV]

*"**You shall make no covenant with them [foreigners], nor with their [pagan government] gods [or judges]**. They shall not dwell in your land [and you shall not dwell in theirs **by becoming a "resident" in the process of contracting with them**], lest they make you sin against Me [God]. For if you serve their gods [under **contract or agreement or franchise**], it will surely be a snare to you."*
[Exodus 23:32-33, Bible, NKJV]

19.1 Admissions

These questions are provided for readers, Grand Jurors, and Petit Jurors to present to the government or anyone else who would challenge the facts and law appearing in this pamphlet, most of whom work for the government or stand to gain financially from perpetuating the fraud. If you find yourself in receipt of this pamphlet, you are demanded to answer the questions within 10 days. Pursuant to Federal Rule of Civil Procedure 8(b)(6), failure to deny within 10 days constitutes an admission to each question. Pursuant to 26 U.S.C. §6065, all of your answers must be signed under penalty of perjury. We are not interested in agency policy, but only sources of reasonable belief identified in the pamphlet below:

Reasonable Belief About Income Tax Liability, Form #05.007
http://sedm.org/Forms/FormIndex.htm

Copyright Family Guardian Fellowship, http://famguardian.org

Your answers will become evidence in future litigation, should that be necessary in order to protect the rights of the person against whom you are attempting to unlawfully enforce federal law.

1. Admit that all law is territorial in nature.

> ***"The foregoing considerations would lead, in case of doubt, to a construction of any statute as intended to be confined in its operation and effect to the territorial limits over which the lawmaker has general and legitimate power. 'All legislation is prima facie territorial.' Ex parte Blain, L. R. 12 Ch. Div. 522, 528; State v. Carter, 27 N.J.L. 499; People v. Merrill, 2 Park. Crim. Rep. 590, 596. Words having universal scope, such as 'every contract in restraint of trade,' 'every person who shall monopolize,' etc., will be taken, as a matter of course, to mean only everyone subject to such legislation, not all that the legislator subsequently may be able to catch.*** *In the case of the present statute, the improbability of the United States attempting to make acts done in Panama or Costa Rica criminal is obvious, yet the law begins by making criminal the acts for which it gives a right to sue. We think it entirely plain that what the defendant did in Panama or Costa Rica is not within the scope of the statute so far as the present suit is concerned. Other objections of a serious nature are urged, but need not be discussed.*
> *[American Banana Co. v. U.S. Fruit, 213 U.S. 347 at 357-358]*

YOUR ANSWER (circle one): Admit/Deny

2. Admit that the United States Constitution establishes two separate and distinct political and legal communities, each with its own distinct types of "citizens", courts, and jurisdictions: 1. States of the Union under the Constitution; 2. Federal territory not under the jurisdiction of any Constitutional state.

> *"It is clear that Congress, as a legislative body, exercise two species of legislative power: the one, limited as to its objects, but extending all over the Union: the other, an absolute, exclusive legislative power over the District of Columbia. The preliminary inquiry in the case now before the Court, is, by virtue of which of these authorities was the law in question passed?"*
> *[Cohens v. Virginia,, 19 U.S. 264, 6 Wheat. 265; 5 L.Ed. 257 (1821)]*

> *"The idea prevails with some, indeed it has found expression in arguments at the bar, that* ***we have in this country substantially two national governments; one to be maintained under the Constitution, with all of its restrictions; the other to be maintained by Congress outside the independently of that instrument, by exercising such powers [of absolutism] as other nations of the earth are accustomed to.. I take leave to say that, if the principles thus announced should ever receive the sanction of a majority of this court, a radical and mischievous change in our system of government will result. We will, in that event, pass from the era of constitutional liberty guarded and protected by a written constitution into an era of legislative absolutism.. It will be an evil day for American liberty if the theory of a government outside the supreme law of the land finds lodgment in our constitutional jurisprudence. No higher duty rests upon this court than to exert its full authority to prevent all violation of the principles of the Constitution.****"*
> *[Downes v. Bidwell, 182 U.S. 244 (1901)]*

YOUR ANSWER (circle one): Admit/Deny

3. Admit that the separation between the two jurisdictions established by the Constitution is the basis for the protection of Constitutional rights and is called the Separation of Powers Doctrine:

> *"We start with first principles. The Constitution creates a Federal Government of enumerated powers. See U.S. Const., Art. I, 8. As James Madison wrote, "[t]he powers delegated by the proposed Constitution to the federal government are few and defined. Those which are to remain in the State governments are numerous and indefinite." The Federalist No. 45, pp. 292-293 (C. Rossiter ed. 1961).* ***This constitutionally mandated division of authority "was adopted by the Framers to ensure protection of our fundamental liberties." Gregory v. Ashcroft, 501 U.S. 452, 458 (1991) (internal quotation marks omitted). "Just as the separation and independence of the coordinate branches of the Federal Government serves to prevent the accumulation of excessive power in any one branch, a healthy balance of power between the States and the Federal Government will reduce the risk of tyranny and abuse from either front.****" Ibid.*
> *[U.S. v. Lopez, 514 U.S. 549 (1995)]*

> *See also:*
>
> *Government Conspiracy to Destroy the Separation of Powers*, Form #05.023

http://sedm.org/Forms/FormIndex.htm

4. Admit that states of the Union are "foreign states" for the purposes of legislative jurisdiction and therefore not within the civil legislative or territorial jurisdiction of the national government:

> *"**The States between each other are sovereign and independent**. They are distinct and separate sovereignties, except so far as they have parted with some of the attributes of sovereignty by the Constitution. **They continue to be nations, with all their rights, and under all their national obligations, and with all the rights of nations in every particular**; except in the surrender by each to the common purposes and objects of the Union, under the Constitution. The rights of each State, when not so yielded up, remain absolute."*
> *[Bank of Augusta v. Earle, 38 U.S. (13 Pet.) 519; 10 L.Ed. 274 (1839)]*
>
> _____
>
> *"Foreign States: Nations outside of the United States**…Term may also refer to another state; i.e. a sister state. The term 'foreign nations', …should be construed to mean all nations and states other than that in which the action is brought; and hence, one state of the Union is foreign to another, in that sense."*
> *[Black's Law Dictionary, Sixth Edition, p. 648]*
>
> _____
>
> *"§1. Definitions, Nature, and Distinctions*
>
> ***"The word 'territory,' when used to designate a political organization has a distinctive, fixed, and legal meaning under the political institutions of the United States, and does not necessarily include all the territorial possessions of the United States, but may include only the portions thereof which are organized and exercise governmental functions under act of congress."***
>
> *"While the term 'territory' is often loosely used, and has even been construed to include municipal subdivisions of a territory, and 'territories of the' United States is sometimes used to refer to the entire domain over which the United States exercises dominion, the word 'territory,' when used to designate a political organization, has a distinctive, fixed, and legal meaning under the political institutions of the United States, and the term 'territory' or 'territories' does not necessarily include only a portion or the portions thereof which are organized and exercise government functions under acts of congress. The term 'territories' has been defined to be political subdivisions of the outlying dominion of the United States, and in this sense the term 'territory' is not a description of a definite area of land but of a political unit governing and being governed as such. The question whether a particular subdivision or entity is a territory is not determined by the particular form of government with which it is, more or less temporarily, invested.*
>
> ***"Territories' or 'territory' as including 'state' or 'states."** **While the term 'territories of the' United States may, under certain circumstances, include the states of the Union, as used in the federal Constitution and in ordinary acts of congress "territory" does not include a foreign state.***
>
> ***"As used in this title, the term 'territories' generally refers to the political subdivisions created by congress, and not within the boundaries of any of the several states."***
>
> *[86 Corpus Juris Secundum (C.J.S.), Territories, §1: Definitions, Nature, and Distinctions (2003)]*

YOUR ANSWER:_____

5. Admit that the U.S. government enjoys no civil statutory or legal jurisdiction within the bounds of a Constitutional state of the Union except within federal enclaves:

> *"It is no longer open to question that **the general government, unlike the states**, Hammer v. Dagenhart, 247 U.S. 251, 275 , 38 S.Ct. 529, 3 A.L.R. 649, Ann.Cas.1918E 724, **possesses no inherent power in respect of the internal affairs of the states; and emphatically not with regard to legislation.**"*
> *[Carter v. Carter Coal Co., 298 U.S. 238, 56 S.Ct. 855 (1936)]*

YOUR ANSWER:_____

6. Admit that a "national" is statutorily defined as a person who owes allegiance to a "state":

> *TITLE 8 > CHAPTER 12 > SUBCHAPTER I > Sec. 1101.*
> *Sec. 1101. - Definitions*

(a) Definitions

(21) The term "national" means a person owing permanent allegiance to a state.

YOUR ANSWER:_____

7. Admit that the lower case term "state" as used in 8 U.S.C. §1101(a)(21) above means a legislatively foreign state, and that it would be capitalized if it were a domestic "State" mentioned in 4 U.S.C. §110(d), and which is a federal territory or possession.

TITLE 4 - FLAG AND SEAL, SEAT OF GOVERNMENT, AND THE STATES
CHAPTER 4 - THE STATES
Sec. 110. Same; definitions

*(d) The term "State" includes any **Territory** or possession of the United States.*

*"Whenever you are reading a particular law, including the U.S. Constitution, or a statute, the Sovereign referenced in that law, who is usually the author of the law, is referenced in the law with the first letter of its name capitalized. For instance, in the U.S. Constitution the phrase "**W**e the **P**eople", "**S**tate", and "**C**itizen" are all capitalized, because these were the sovereign entities who were writing the document residing in the **S**tates. This document formed the federal government and gave it its authority. Subsequently, the federal government wrote statutes to implement the intent of the Constitution, and it became the Sovereign, but only in the context of those territories and lands ceded to it by the union states. When that federal government then refers in statutes to federal "States", for instance in 26 U.S.C. §7701(a)(10) or 4 U.S.C. §110(d), then these federal "States" are Sovereigns because they are part of the territory controlled by the Sovereign who wrote the statute, so they are capitalized. Foreign states referenced in the federal statutes then must be in lower case. The sovereign 50 union states, for example, must be in lower case in federal statutes because of this convention because they are foreign states. Capitalization is therefore always relative to who is writing the document, which is usually the Sovereign and is therefore capitalized. The exact same convention is used in the Bible, where all appellations of God are capitalized because they are sovereigns: "**J**esus" ", "**G**od", "**H**im", "**H**is", "**F**ather". These words aren't capitalized because they are proper names, but because the entity described is a sovereign or an agent or part of the sovereign. The only exception to this capitalization rule is in state revenue laws, where the state legislators use the same capitalization as the Internal Revenue Code for "State" in referring to federal enclaves within their territory because they want to scam money out of you. In state revenue laws, for instance in the California Revenue and Taxation Code (R&TC) sections 17018 and 6017, "State" means a federal State within the boundaries of California and described as part of the Buck Act of 1940 found in 4 U.S.C. §§105-113. See the following URL to see what we mean:*

http://www.leginfo.ca.gov/cgi-bin/displaycode?section=rtc&group=17001-18000&file=17001-17039.1"

[SOURCE: Geographical Definitions and Conventions, Form #11.215
http://sedm.org/SampleLetters/DefinitionsAndConventions.htm]

YOUR ANSWER:_____

8. Admit that the U.S. Supreme Court has identified three geographical definitions of the term "United States".

"The term 'United States' may be used in any one of several senses. It may be merely the name of a sovereign occupying the position analogous to that of other sovereigns in the family of nations. It may designate the territory over which the sovereignty of the United States extends, or it may be the collective name of the states which are united by and under the Constitution."
[Hooven & Allison Co. v. Evatt, 324 U.S. 652 (1945)]

Table 18: Meanings assigned to "United States" by the U.S. Supreme Court in Hooven & Allison v. Evatt

#	U.S. Supreme Court Definition of "United States" in Hooven	Context in which usually used	Referred to in this article as	Interpretation
1	"It may be merely the name of a sovereign occupying the position analogous to that of other sovereigns in the	International law	"United States*"	"These united States," when traveling abroad, you come under the jurisdiction of the President through his agents in the U.S. State Department, where "U.S." refers to the sovereign society. You are a "Citizen of the United States" like someone is a Citizen of France, or England.

#	*U.S. Supreme Court Definition of "United States" in Hooven*	*Context in which usually used*	*Referred to in this article as*	*Interpretation*
	family of nations."			We identify this version of "United States" with a single asterisk after its name: "United States*" throughout this article.
2	"It may designate the territory over which the sovereignty of the United States extends, or"	Federal law Federal forms	"United States**"	"The United States (the District of Columbia, possessions and territories)". Here Congress has exclusive legislative jurisdiction. In this sense, the term "United States" is a singular noun. You are a person residing in the District of Columbia, one of its Territories or Federal areas (enclaves). Hence, even a person living in the one of the sovereign States could still be a member of the Federal area and therefore a "citizen of the United States." This is the definition used in most "Acts of Congress" and federal statutes. We identify this version of "United States" with two asterisks after its name: "United States**" throughout this article. This definition is also synonymous with the "United States" corporation found in 28 U.S.C. §3002(15)(A).
3	"...as the collective name for the states which are united by and under the Constitution."	Constitution of the United States	"United States***"	"The several States which is the united States of America." Referring to the 50 sovereign States, which are united under the Constitution of the United States of America. The federal areas within these states are not included in this definition because the Congress does not have exclusive legislative authority over any of the 50 sovereign States within the Union of States. Rights are retained by the States in the 9th and 10th Amendments, and you are a "Citizen of these united States." This is the definition used in the Constitution for the United States of America. We identify this version of "United States" with a three asterisks after its name: "United States***" throughout this article.

YOUR ANSWER (circle one): Admit/Deny

9. Admit that the only jurisdiction above which encompasses ONLY "territory" of the United States is definition 2 above, which is abbreviated as "United States**" in the table.

YOUR ANSWER (circle one): Admit/Deny

10. Admit that because there are three geographical definitions of the term "United States", then there must also be at least three distinct and different types of "citizens of the United States".

YOUR ANSWER (circle one): Admit/Deny

11. Admit that in addition to the geographical context for the term "United States", the term can ALSO be used to represent "United States" as a corporation and a legal person RATHER than simply a geographic place:

> *TITLE 28 > PART VI > CHAPTER 176 > SUBCHAPTER A > Sec. 3002.*
> *TITLE 28 - JUDICIARY AND JUDICIAL PROCEDURE*
> *PART VI - PARTICULAR PROCEEDINGS*
> *CHAPTER 176 - FEDERAL DEBT COLLECTION PROCEDURE*
> *SUBCHAPTER A - DEFINITIONS AND GENERAL PROVISIONS*
>
> *Sec. 3002. Definitions*
> *(15) "United States" means -*
> *(A) a Federal corporation;*
> *(B) an agency, department, commission, board, or other entity of the United States; or*
> *(C) an instrumentality of the United States.*

YOUR ANSWER (circle one): Admit/Deny

12. Admit that a human being who is a "citizen of the United States" as that term is used in the Fourteenth Amendment to the U.S. Constitution is NOT equivalent to a ***statutory*** "national and citizen of the United States" as defined in 8 U.S.C. §1401:

> *"The 1st section of the 14th article [Fourteenth Amendment], to which our attention is more specifically invited, opens with a definition of citizenship—not only citizenship of the United States[***], but citizenship of the states.* ***No such definition was previously found in the Constitution, nor had any attempt been made to define it by act of Congress.*** *It had been the occasion of much discussion in the courts, by the executive departments and in the public journals.* ***It had been said by eminent judges that no man was a citizen of the United States[***] except as he was a citizen of one of the states composing the Union. Those therefore, who had been born and resided always in the District of Columbia or in the territories, though within the United States[*], were not citizens****."*
> *[Slaughter-House Cases, 83 U.S. (16 Wall.) 36, 21 L.Ed. 394 (1873)]*

> *"The earliest case is that of Hepburn v. Ellzey, 2 Cranch, 445, 2 L.Ed. 332, in which this court held that, under that clause of the Constitution limiting the jurisdiction of the courts of the United States to controversies between citizens of different states, a citizen of the District of Columbia could not maintain an action in the circuit court of the United States. It was argued that the word 'state.' in that connection, was used simply to denote a distinct political society. 'But,' said the Chief Justice, 'as the act of Congress obviously used the word 'state' in reference to that term as used in the Constitution, it becomes necessary to inquire whether Columbia is a state in the sense of that instrument.* ***The result of that examination is a conviction that the members of the American confederacy only are the states contemplated in the Constitution , . . . and excludes from the term the signification attached to it by writers on the law of nations.' This case was followed in Barney v. Baltimore, 6 Wall. 280, 18 L.Ed. 825, and quite recently in Hooe v. Jamieson, 166 U.S. 395 , 41 L.Ed. 1049, 17 Sup.Ct.Rep. 596. The same rule was applied to citizens of territories in New Orleans v. Winter, 1 Wheat. 91, 4 L.Ed. 44, in which an attempt was made to distinguish a territory from the District of Columbia. But it was said that 'neither of them is a state in the sense in which that term is used in the Constitution.'*** *In Scott v. Jones, 5 How. 343, 12 L.Ed. 181, and in Miners' Bank v. Iowa ex rel. District Prosecuting Attorney, 12 How. 1, 13 L.Ed. 867, it was held that under the judiciary act, permitting writs of error to the supreme court of a state in cases where the validity of a state statute is drawn in question, an act of a territorial legislature was not within the contemplation of Congress."*
> *[Downes v. Bidwell, 182 U.S. 244 (1901)]*

YOUR ANSWER (circle one): Admit/Deny

13. Admit that a "citizen of the United States" domiciled within Puerto Rico, which is federal territory under 8 U.S.C. §110(d), is a statutory "citizen of the United States" as defined in 8 U.S.C. §1401 and is not protected by the Constitution.

> *"Indeed, the practical interpretation put by Congress upon the Constitution has been long continued and uniform to the effect [182 U.S. 244, 279] that* ***the Constitution is applicable to territories acquired by purchase or conquest, only when and so far as Congress shall so direct. Notwithstanding its duty to 'guarantee to every state in this Union a republican form of government' (art. 4, 4), by which we understand, according to the definition of Webster, 'a government in which the supreme power resides in the whole body of the people, and is exercised by representatives elected by them,' Congress did not hesitate, in the original organization of the territories of Louisiana, Florida, the Northwest Territory, and its subdivisions of Ohio, Indiana, Michigan, Illinois, and Wisconsin and still more recently in the case of Alaska, to establish a form of government bearing a much greater analogy to a British Crown colony than a republican state of America,*** *and to vest the legislative power either in a governor and council, or a governor and judges, to be appointed by the President. It was not until they had attained a certain population that power was given them to organize a legislature by vote of the people. In all these cases, as well as in territories subsequently organized west of the Mississippi, Congress thought it necessary either to extend to Constitution and laws of the United States over them, or to declare that the inhabitants should be entitled to enjoy the right of trial by jury, of bail, and of the privilege of the writ of habeas corpus, as well as other privileges of the bill of rights."*
> *[Downes v. Bidwell, 182 U.S. 244 (1901)]*

YOUR ANSWER (circle one): Admit/Deny

14. Admit that a "citizen of the United States" domiciled within Puerto Rico, which is federal territory under 8 U.S.C. §110(d), is "subject to ITS jurisdiction" as referred to in 26 C.F.R. §1.1-1(c) rather than "subject to THE jurisdiction" as referred to in the Fourteenth Amendment.

> *Fourteenth Amendment*
>
> *Section 1. All persons born or naturalized in the [federal] United States,* **and subject to THE [political] jurisdiction** *thereof, are citizens of the United States and of the state wherein they reside. No state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall*

any state deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

26 C.F.R. §1.1-1(c):

(c) Who is a [statutory] citizen.

Every person born or naturalized in the United States[**] and subject to ITS [that is, LEGISLATIVE] jurisdiction is a [statutory and not constitutional] citizen. *For other rules governing the acquisition of citizenship, see Chapters 1 and 2 of Title III of the Immigration and Nationality Act (8 U.S.C. 1401-1459). For rules governing loss of citizenship, see sections 349 to 357, inclusive, of such Act (8 U.S.C. 1481-1489), Schneider v. Rusk, (1964) 377 U.S. 163, and Rev. Rul. 70-506, C.B. 1970-2, 1. For rules pertaining to persons who are nationals but not citizens at birth, e.g., a person born in American Samoa, see section 308 of such Act (8 U.S.C. 1408). For special rules applicable to certain expatriates who have lost citizenship with a principal purpose of avoiding certain taxes, see section 877. A foreigner who has filed his declaration of intention of becoming a citizen but who has not yet been admitted to citizenship by a final order of a naturalization court is an alien.*

YOUR ANSWER (circle one): Admit/Deny

15. Admit that one can be "subject to THE" POLITICAL jurisdiction while NOT being "subject to ITS" LEGISLTIVE jurisdiction of a specific nation by having a civil domicile outside the territory of that jurisdiction and in a "foreign state", which could be either a foreign country or a state of the Union.

"This section contemplates two sources of citizenship, and two sources only,-birth and naturalization. The persons declared to be citizens are 'all persons born or naturalized in the United States, and ***subject to the jurisdiction thereof.*** *' **The evident meaning of these last words is, not merely subject in some respect or degree to the jurisdiction of the United States, but completely subject to their [plural, not singular, meaning states of the Union] political jurisdiction, and owing them [the state of the Union] direct and immediate allegiance.*** *And the words relate to the time of birth in the one case, as they do [169 U.S. 649, 725] to the time of naturalization in the other. Persons not thus subject to the jurisdiction of the United States at the time of birth cannot become so afterwards, except by being naturalized, either individually, as by proceedings under the naturalization acts, or collectively, as by the force of a treaty by which foreign territory is acquired."*
[U.S. v. Wong Kim Ark, 169 U.S. 649, 18 S.Ct. 456; 42 L.Ed. 890 (1898)]

YOUR ANSWER (circle one): Admit/Deny

16. Admit that it is possible to be a statutory "alien" under 26 U.S.C. §7701(b)(1)(A) and a Constitutional "citizen" under the Fourteenth Amendment AT THE SAME TIME, if one is domiciled in a constitutional state of the Union and the term "United States" as used below refers to federal territory ONLY.

TITLE 8 > CHAPTER 12 > SUBCHAPTER I > § 1101
§ 1101. Definitions

(a) As used in this chapter—

(3) The term "alien" means any person not a citizen or national of the United States.

YOUR ANSWER:_____

17. Admit that all federal legislation, excepting the following subject matters, is limited to federal territory, federal property, and those domiciled on federal territory and therefore protected by federal law:

17.1 Interstate commercial crimes under Article 1, Section 8, Clause 3 of the U.S. Constitution.
17.2 Postal fraud. See Article 1, Section 8, Clause 7 of the U.S. Constitution..
17.3 Counterfeiting under Article 1, Section 8, Clause 6 of the U.S. Constitution.
17.4 Treason under Article 4, Section 2, Clause 3 of the U.S. Constitution.
17.5 Jurisdiction over naturalization and exportation of Constitutional aliens.
17.6 Slavery, involuntary servitude, or peonage under the Thirteenth Amendment, 42 U.S.C. §1994, 18 U.S.C. §1581. and 18 U.S.C. §1589(3).

"Other authorities to the same effect might be cited. It is not open to doubt that Congress may enforce the Thirteenth Amendment by direct legislation, punishing the holding of a person in slavery or in involuntary servitude except as a punishment for a crime. In the exercise of that power Congress has enacted these sections denouncing peonage, and punishing one who holds another in that condition of involuntary servitude. ***This legislation is not limited to the territories or other parts of the strictly national domain, but is operative in the states and wherever the sovereignty of the United States extends.*** *We entertain no doubt of the validity of this legislation, or of its applicability to the case of any person holding another in a state of peonage, and this whether there be municipal ordinance or state law sanctioning such holding.* ***It operates directly on every citizen of the Republic, wherever his residence may be.****"*
[Clyatt v. U.S., 197 U.S. 207 (1905)]

YOUR ANSWER (circle one): Admit/Deny

18. Admit that a statutory "citizen of the United States" as defined in 8 U.S.C. §1401 and a *constitutional* "citizen of the United States" as defined in section 1 of the Fourteenth Amendment are mutually exclusive types of citizens and that a person CANNOT be BOTH types of citizens at the same time.

YOUR ANSWER (circle one): Admit/Deny

19. Admit that the following definition describes federal territory that is not within the exclusive jurisdiction of any state of the Union.

TITLE 8 > CHAPTER 12 > SUBCHAPTER I > Sec. 1101. [Aliens and Nationality] Sec. 1101. - Definitions

(a)(38) The term "United States", except as otherwise specifically herein provided, when used in a geographical sense, means the continental United States, Alaska, Hawaii, Puerto Rico, Guam, and the Virgin Islands ***of*** *the United States.*

YOUR ANSWER (circle one): Admit/Deny

20. Admit that the definition of "continental United States" below does not pertain to the above but ALSO adds areas under the exclusive jurisdiction of states of the Union, and that this addition was necessary because jurisdiction over constitutional but not statutory aliens is enjoyed by the federal government EVERYWHERE in the American Union.

TITLE 8--ALIENS AND NATIONALITY CHAPTER I--IMMIGRATION AND NATURALIZATION SERVICE, DEPARTMENT OF JUSTICE
PART 215--CONTROLS OF ***ALIENS*** *DEPARTING FROM THE UNITED STATES[**]*

Section 215.1: Definitions

*(f) The term continental United States[**] means the District of Columbia and the several* ***States****, except Alaska and Hawaii.*

*While under our constitution and form of government the great mass of local matters is controlled by local authorities, t****he United States, in their relation to foreign countries and their subjects or citizens, are one nation, invested with powers which belong to independent nations, the exercise of which can be invoked for the maintenance of its absolute independence and security throughout its entire territory.*** *The powers to declare war, make treaties, suppress insurrection, repel invasion, regulate foreign commerce, secure republican governments to the states, and admit subjects of other nations to citizenship, are all sovereign powers, restricted in their exercise only by the constitution itself and considerations of public policy and justice which control, more or less, the conduct of all civilized nations. As said by this court in the case of Cohens v. Virginia, 6 Wheat. 264, 413, speaking by the same great chief justice: '****That the United States form, for many, and for most important purposes, a single nation, has not yet been denied. In war, we are one people. In making peace, we are one people. In all commercial regulations, we are one and the same people. In many other respects, the American people are one; and the government which is alone capable of controlling and managing their interests in all these respects is the government of the Union****. It is their government, and in that character they have no other. America has chosen to [130 U.S. 581, 605] be in many respects, and to many purposes, a nation; and for all these purposes her government is complete; to all these objects, it is competent.* ***The people have declared that in the exercise of all powers given for these objects it is supreme. It can, then, in effecting these objects, legitimately control all individuals or governments within the American territory."***

[. . .]

*"**The power of exclusion of foreigners being an incident of sovereignty belonging to the government of the United States as a part of those sovereign powers delegated by the constitution**, the right to its exercise at any time when, in the judgment of the government, the interests of the country require it, cannot be granted away or restrained on behalf of any one. **The powers of government are delegated in trust to the United States, and are incapable of transfer to any other parties.** They cannot be abandoned or surrendered. **Nor can their exercise be hampered, when needed for the public good, by any considerations of private interest. The exercise of these public trusts is not the subject of barter or contract.**"*
[Chae Chan Ping v. U.S., 130 U.S. 581 (1889)]

YOUR ANSWER (circle one): Admit/Deny

21. Admit that a Constitutional "citizen of the United States" born within or naturalized while domiciled within a constitutional state of the Union is defined as a "national" under 8 U.S.C. §1101(a)(21):

TITLE 8 > CHAPTER 12 > SUBCHAPTER I > Sec. 1101.
Sec. 1101. - Definitions

(21) The term "national" means a person owing permanent allegiance to a state.

YOUR ANSWER (circle one): Admit/Deny

22. Admit that neither the "federal government" nor the "national government" have civil legislative jurisdiction within a state of the Union, according to the U.S. Supreme Court.

*"It is no longer open to question that **the general government, unlike the states**, Hammer v. Dagenhart, 247 U.S. 251, 275 , 38 S.Ct. 529, 3 A.L.R. 649, Ann.Cas.1918E 724, **possesses no inherent power in respect of the internal affairs of the states; and emphatically not with regard to legislation.**"*
[Carter v. Carter Coal Co., 298 U.S. 238, 56 S.Ct. 855 (1936)]

YOUR ANSWER (circle one): Admit/Deny

23. Admit that because neither the "federal government" nor the "national government" have civil legislative jurisdiction within a state of the Union, then no statute or "legislation" that it might write can prescribe the status or condition, including the citizenship status, of those born within the exclusive jurisdiction of a state of the Union.

*"Judge Story, in his treatise on the Conflicts of Laws, lays down, as the basis upon which all reasonings on the law of comity must necessarily rest, the following maxims: First 'that **every nation possesses an exclusive sovereignty and jurisdiction within its own territory**'; secondly, '**that no state or nation can by its laws directly affect or bind property out of its own territory, or bind persons not resident therein, whether they are natural born subjects or others.**' The learned judge then adds: 'From these two maxims or propositions there follows a third, and that is that whatever force and obligation the laws of one country have in another depend solely upon the laws and municipal regulation of the latter; that is to say, upon its own proper jurisdiction and polity, and upon its own express or tacit consent." Story on Conflict of Laws §23."*
[Baltimore & Ohio Railroad Co. v. Chambers, 73 Ohio.St. 16, 76 N.E. 91, 11 L.R.A., N.S., 1012 (1905)]

YOUR ANSWER (circle one): Admit/Deny

24. Admit that the "national government" and the "federal government" legislate for two distinctly different and mutually exclusive territorial jurisdictions.

"It is clear that Congress as a legislative body, exercises two species of legislative power: the one, limited as to its objects but extending all over the Union; the other, an absolute, exclusive legislative power over the District of Columbia."
[Cohens v. Virginia, 19 U.S. 264, 6 Wheat. 265; 5 L.Ed. 257 (1821)]

*"**NATIONAL GOVERNMENT**. The government of a whole nation, as distinguished from that of a local or territorial division of the nation, and also as distinguished from that of a league or confederation.*

*"A national government is a government of the people of a single state or nation, united as a community by what is termed the "social compact,' and possessing complete and perfect supremacy over persons and things, so far as they can be made the lawful objects of civil government. **A federal government is distinguished from a national government by its being the government of a community of independent and sovereign states, united by compact.**" Piqua Branch Bank v. Knoup, 6 Ohio.St. 393."*

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[Black's Law Dictionary, Revised Fourth Edition, 1968, p. 1176]

***"FEDERAL GOVERNMENT**. The system of government administered in a state formed by the union or confederation of **several independent or quasi independent states**; also the composite state so formed.*

*In strict usage, there is a distinction between a confederation and a federal government. **The former term denotes a league or permanent alliance between several states, each of which is fully sovereign and independent, and each of which retains its full dignity, organization, and sovereignty, though yielding to the central authority a controlling power for a few limited purposes, such as external and diplomatic relations. In this case, the component states are the units, with respect to the confederation, and the central government acts upon them, not upon the individual citizens. In a federal government, on the other hand, the allied states form a union,-not, indeed, to such an extent as to destroy their separate organization or deprive them of quasi sovereignty with respect to the administration of their purely local concerns, but so that the central power is erected into a true state or nation, possessing sovereignty both external and internal,-while the administration of national affairs is directed, and its effects felt, not by the separate states deliberating as units, but by the people of all. in their collective capacity, as citizens of the nation.** The distinction is expressed, by the German writers, by the use of the two words "Staatenbund" and "Bundesstaut;" the former denoting a league or confederation of states, and the latter a federal government, or state formed by means of a league or confederation.*
[Black's Law Dictionary, Revised Fourth Edition, 1968, p. 740]

YOUR ANSWER (circle one): Admit/Deny

25. Admit that the "national government" legislates ONLY for federal territory, domiciliaries, and property and not for any component of the states of the Union, and that it does so under the authority of Article 4, Section 3, Clause 2 of the Constitution, and that the U.S. Supreme Court calls this jurisdiction the "national domain".

*"A person arbitrarily or forcibly held against his will for the purpose of compelling him to render personal services in discharge of a debt is in a condition of peonage. It was not claimed in that case that peonage was sanctioned by or could be maintained under the Constitution or laws either of Florida or Georgia. The argument there on behalf of the accused was, in part, that the 13th Amendment was directed solely against the states and their laws, and that its provisions could not be made applicable to individuals whose illegal conduct was not authorized, permitted, or sanctioned by some act, resolution, order, regulation, or usage of the state. That argument was rejected by every member of this court, and we all agreed that Congress had power, under the 13th Amendment, not only to forbid the existence of peonage, but to make it an offense against the United States for any person to hold, arrest, return, or cause to be held, arrested or returned, or who in any manner aided in the arrest or return, of another person, to a condition of peonage. After quoting the above sentences from the opinion in the Civil Rights Cases, Mr. Justice Brewer, speaking for the court, said: 'Other authorities to the same effect might be cited. It is not open to doubt that Congress may enforce the 13th Amendment by direct legislation, punishing the holding of a person in slavery or in involuntary servitude, except as a punishment for crime. In the exercise of that power Congress has enacted these sections denouncing peonage, and punishing one who holds another in that condition of involuntary servitude. *34 **This legislation is not limited to the territories or other parts of the strictly national domain, but is operative in the states and wherever the sovereignty of the United States extends**. We entertain no doubt of the validity of this legislation, or of its applicability to the case of any person holding another in a state of peonage, and this whether there be municipal ordinance or state law sanctioning such holding. It operates directly on every citizen of the republic, wherever his residence may be.'*
[Hodges v. U.S., 203 U.S. 1, 27 S.Ct. 6 (U.S. 1906)]

*"It is contended that we should dismiss this action on the ground that the Attorney General has not been granted power either to file or to maintain it. It is *27 not denied that Congress has given a very broad authority to the Attorney General to institute and conduct litigation in order to establish and safeguard government rights and properties.[11] The argument is that Congress has for a long period of years acted in such a way as to manifest a clear policy to the effect that the states, not the Federal Government, have legal title to the land under the three-mile belt. **Although Congress has not expressly declared such a policy, we are asked to imply it from certain conduct of Congress and other governmental agencies charged with responsibilities concerning the national domain**. And, in effect, we are urged to infer that Congress has by implication*

[11] 5 U.S.C. ss 291, 309, 5 U.S.C.A. ss 291, 309; United States v. San Jacinto Tin Co., 125 U.S. 273, 279, 284, 8 S.Ct. 850, 854, 856, 31 L.Ed. 747; Kern River Co. v. United States, 257 U.S. 147, 154, 155, 42 S.Ct. 60, 62, 63, 66 L.Ed. 175; Sanitary District of Chicago v. United States, 266 U.S. 405, 425, 426, 45 S.Ct. 176, 178, 179, 69 L.Ed. 352; see also In re Debs, 158 U.S. 564, 584, 15 S.Ct. 900, 906, 39 L.Ed. 1092; United States v. State of Oregon, 295 U.S. 1, 24, 55 S.Ct. 610, 619, 79 L.Ed. 1267; United States v. State of Wyoming, 323 U.S. 669, 65 S.Ct. 34, 89 L.Ed. 543; 331 U.S. 440, 67 S.Ct. 1319.

amended its long-existing statutes which grant the Attorney General broad powers to institute and maintain court proceedings in order to safeguard national interests.

An Act passed by Congress and signed by the President could, of course, limit the power previously granted the Attorney General to prosecute claims for the Government. ***For Article IV, s 3, Cl. 2 of the Constitution vests in Congress 'Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States.' We have said that the constitutional power of Congress in this respect is without limitation. United States v. City and County of San Francisco, 310 U.S. 16, 29, 30, 60 S.Ct. 749, 756, 757, 84 L.Ed. 1050. Thus neither the courts nor the executive agencies, could proceed contrary to an Act of Congress in this congressional area of national power****.*
[U.S. v. State of Cal., 332 U.S. 19, 67 S.Ct. 1658 (U.S. 1947)]

YOUR ANSWER (circle one): Admit/Deny

26. Admit that persons not domiciled on federal territory nor participating in federal franchises are NOT part of the "national domain" or the "national government" as defined earlier.

YOUR ANSWER (circle one): Admit/Deny

27. Admit that any attempt to "presume" or wrongfully conclude that a person or his private property is part of the "national domain" who in fact is not constitutes an act of eminent domain in which *private property* is being unlawfully converted to a "public use" in criminal violation of 18 U.S.C. §654.

"Men are endowed by their Creator with certain unalienable rights,-'life, liberty, and the pursuit of happiness;' and to 'secure,' not grant or create, these rights, governments are instituted. ***That property [or income] which a man has honestly acquired he retains full control of, subject to these limitations: First, that he shall not use it to his neighbor's injury, and that does not mean that he must use it for his neighbor's benefit; second, that if he devotes it to a public use, he gives to the public a right to control that use; and third, that whenever the public needs require, the public may take it upon payment of due compensation.****"*
[Budd v. People of State of New York, 143 U.S. 517 (1892)]

YOUR ANSWER (circle one): Admit/Deny

28. Admit that the distinctions between the "national government" and the "federal government" is a product of the separation of powers doctrine, which was put there by the framers of the constitution for the express purpose of protecting our rights and liberties.

*"We start with first principles. The Constitution creates a Federal Government of enumerated powers. See U.S. Const., Art. I, 8. As James Madison wrote, "[t]he powers delegated by the proposed Constitution to the federal government are few and defined. Those which are to remain in the State governments are numerous and indefinite." The Federalist No. 45, pp. 292-293 (C. Rossiter ed. 1961)****. This constitutionally mandated division of authority "was adopted by the Framers to ensure protection of our fundamental liberties****." Gregory v. Ashcroft, 501 U.S. 452, 458 (1991) (internal quotation marks omitted). "Just as the separation and independence of the coordinate branches of the Federal Government serves to prevent the accumulation of excessive power in any one branch, a healthy balance of power between the States and the Federal Government will reduce the risk of tyranny and abuse from either front." Ibid. "*
[U.S. v. Lopez, 514 U.S. 549 (1995)]

YOUR ANSWER (circle one): Admit/Deny

29. Admit that those in the legal profession or the government who refuse to acknowledge all of the implications of the separation of powers doctrine are engaged in a willful oppression of the rights and liberties of those persons in states of the Union who are protected by it.

See: http://famguardian.org/Subjects/LawAndGovt/Articles/SeparationOfPowersDoctrine.htm

YOUR ANSWER (circle one): Admit/Deny

30. Admit that a judge or public servant who refuses to recognize all of the implications of the separation of powers doctrine is a de facto usurper and tyrant who is acting as a private individual and not an officer of the government.

> ***"… the maxim that the King can do no wrong has no place in our system of government; yet it is also true, in respect to the State itself, that whatever wrong is attempted in its name is imputable to its government and not to the State, for, as it can speak and act only by law, whatever it does say and do must be lawful. That which therefore is unlawful because made so by the supreme law, the Constitution of the United States, is not the word or deed of the State, but is the mere wrong and trespass of those individual persons who falsely spread and act in its name."***
>
> *"This distinction is essential to the idea of constitutional government. To deny it or blot it out obliterates the line of demarcation that separates constitutional government from absolutism, free self- government based on the sovereignty of the people from that despotism, whether of the one or the many, which enables the agent of the state to declare and decree that he is the state; to say 'L'Etat, c'est moi.' **Of what avail are written constitutions, whose bills of right, for the security of individual liberty, have been written too often with the blood of martyrs shed upon the battle-field and the scaffold, if their limitations and restraints upon power may be overpassed with impunity by the very agencies created and appointed to guard, defend, and enforce them; and that, too, with the sacred authority of law, not only compelling obedience, but entitled to respect? And how else can these principles of individual liberty and right be maintained, if, when violated, the judicial tribunals are forbidden to visit penalties upon individual offenders, who are the instruments of wrong, whenever they interpose the shield of the state? The doctrine is not to be tolerated. The whole frame and scheme of the political institutions of this country, state and federal, protest against it. Their continued existence is not compatible with it. It is the doctrine of absolutism, pure, simple, and naked, and of communism which is its twin, the double progeny of the same evil birth."***
> *[Poindexter v. Greenhow, 114 U.S. 270; 5 S.Ct. 903 (1885)]*

YOUR ANSWER (circle one): Admit/Deny

31. Admit that a judge or public servant who refuses to recognize all of the implications of the separation of powers doctrine upon his authority is violating his oath of office and acting not as a judge, but a private individual who has surrendered judicial and sovereign immunity and agreed to accept personal responsibility for his usurpations.

> *"An officer who acts in violation of the Constitution ceases to represent the government."*
> *[Brookfield Const. Co. v. Stewart, 284 F.Supp. 94]*
>
> ---
>
> *"In another, not unrelated context, Chief Justice Marshall's exposition in Cohens v. Virginia, 6 Wheat, 264 (1821) TA \l "Cohens v. Virginia, 6 Wheat, 264 (1821)" \s "Cohens v. Virginia, 6 Wheat, 264 (1821)" \c 1 , could well have been the explanation of the Rule of Necessity; he wrote that a court "must take jurisdiction if it should. The judiciary cannot, as the legislature may, avoid a measure because it approaches the confines of the constitution. We cannot pass it by, because it is doubtful. With whatever doubts, with whatever difficulties, a case may be attended, we must decide it, if it be brought before us. **We have no more right to decline the exercise of jurisdiction which is given, than to usurp that which is not given. The one or the other would be treason to the constitution**. Questions may occur which we would gladly avoid; but we cannot avoid them." Id., at 404 (emphasis added)*
> *[U.S. v. Will, 449 U.S. 200 (1980)]*
>
> ---
>
> *"In such case the judge has lost his judicial function, has become a mere private person, and is liable as a trespasser for damages resulting from his unauthorized acts."*
>
> *"Judge's honesty of purpose and sincere belief that he was acting in discharge of his official duty was not available as defense in action."*
>
> *"Where there is no jurisdiction there is no judge; the proceeding is as nothing. Such has been the law from the days of the Marshalsea, 10 Coke 68; also Bradley v. Fisher, 13 Wall 335,351."*
> *[Manning v. Ketcham, 58 F.2d. 948]*

YOUR ANSWER (circle one): Admit/Deny

32. Admit that Subtitle A of the Internal Revenue Code only applies to ONE of the three definitions of "United States" indicated above, in which the "United States" is defined as the District of Columbia pursuant to 26 U.S.C. §7701(a)(9) and (a)(10).

> *TITLE 26 > Subtitle F > CHAPTER 79 > Sec. 7701. [Internal Revenue Code]*
> *Sec. 7701. - Definitions*
>
> *(a)(9) United States*
>
> *The term "United States" when used in a geographical sense includes only the States and the District of Columbia.*
>
> *(a)(10) State*
>
> *The term "State" shall be construed to include the District of Columbia, where such construction is necessary to carry out provisions of this title.*

YOUR ANSWER (circle one): Admit/Deny

33. Admit that when a statutory definition of a word is provided, that definition ***supersedes*** and ***replaces***, and NOT ***enlarges***, the common or ordinary meaning of the word.

> *"It is axiomatic that the statutory definition of the term excludes unstated meanings of that term. Colautti v. Franklin, 439 U.S. 379, 392, and n. 10 (1979). Congress' use of the term "propaganda" in this statute, as indeed in other legislation, has no pejorative connotation. As judges, it is our duty to [481 U.S. 485] construe legislation as it is written, not as it might be read by a layman, or as it might be understood by someone who has not even read it."*
> *[Meese v. Keene, 481 U.S. 465, 484 (1987)]*

YOUR ANSWER:_____

34. Admit that the things or classes of things described in a statutory definition ***exclude*** all things not specifically identified somewhere within the statute or other related sections of the Title:

> *"As a rule, `**a definition which declares what a term "means" . . . excludes any meaning that is not stated**'"*
> *[Colautti v. Franklin, 439 U.S. 379 (1979), n. 10]*
>
> *"Expressio unius est exclusio alterius. A maxim of statutory interpretation meaning that the expression of one thing is the exclusion of another. Burgin v. Forbes, 293 Ky. 456, 169 S.W.2d. 321, 325; Newblock v. Bowles, 170 Okl. 487, 40 P.2d. 1097, 1100. Mention of one thing implies exclusion of another. When certain persons or things are specified in a law, contract, or will, an intention to exclude all others from its operation may be inferred. Under this maxim, if statute specifies one exception to a general rule or assumes to specify the effects of a certain provision, other exceptions or effects are excluded."*
> *[Black's Law Dictionary, Sixth Edition, p. 581]*

YOUR ANSWER:_____

35. Admit that no judge has the authority to enlarge or expand a definition to include things not explicitly stated in the statute itself because judges are not part of the legislative branch of the government.

> *"In the interpretation of **statutes levying taxes**, it is the established rule **not to** extend their provisions by implication beyond the clear import of the language used, or to enlarge their operations so as to embrace matters not specifically pointed out. In case of doubt they are construed most strongly against the government and in favor of the citizen."*
> *[Gould v. Gould, 245 U.S. 151 (1917)]*

YOUR ANSWER:_____

36. Admit that a judge who extends the meaning of a term beyond that clearly stated in the statute itself is effectively "legislating from the bench", exceeding his or her delegated authority, and destroying the separation of powers which was put there for the protection of our Constitutional rights.

"But, allowing the people to make constitutions and unmake them, allowing their representatives to make laws and unmake them, and without our interference as to their principles or policy in doing it, yet, when constitutions and laws are made and put in force by others, then the courts, as empowered by the State or the Union, commence their functions and may decide on the rights which conflicting parties can legally set up under them, rather than about their formation itself. ***Our power begins after theirs ends. Constitutions and laws precede the judiciary, and we act only under and after them, and as to disputed rights beneath them, rather than disputed points in making them. We speak what is the law, jus dicere, we speak or construe what is the constitution, after both are made, but we make, or revise, or control neither."***
[Luther v. Borden, 48 U.S. 1 (1849)]

YOUR ANSWER:_____

37. Admit that the ordinary or common definition of a word appearing within a revenue statute may only be implied when there is no governing statutory definition.

*"**When a statute includes an explicit definition, we must follow that definition, even if it varies from that term's ordinary meaning. Meese v. Keene, 481 U.S. 465, 484-485 (1987) ("It is axiomatic that the statutory definition of the term excludes unstated meanings of that term"); Colautti v. Franklin, 439 U.S. at 392-393, n. 10 ("As a rule, `a definition which declares what a term "means" . . . excludes any meaning that is not stated'"); Western Union Telegraph Co. v. Lenroot, 323 U.S. 490, 502 (1945); Fox v. Standard Oil Co. of N.J., 294 U.S. 87, 95-96 (1935) (Cardozo, J.); see also 2A N. Singer, Sutherland on Statutes and Statutory Construction § 47.07, p. 152, and n. 10 (5th ed. 1992) (collecting cases).** That is to say, the statute, read "as a whole," post at 998 [530 U.S. 943] (THOMAS, J., dissenting), leads the reader to a definition. That definition does not include the Attorney General's restriction -- "the child up to the head." Its words, "substantial portion," indicate the contrary."*
[Stenberg v. Carhart, 530 U.S. 914 (2000)]

YOUR ANSWER:_____

38. Admit that when the word "include" is used within a statutory definition in its context of meaning "in addition to", the other things that it *adds* to must also be specified in another section of the statutes as well or the statute is void for vagueness.

"When a statute includes an explicit definition, we must follow that definition, even if it varies from that term's ordinary meaning. Meese v. Keene, 481 U.S. 465, 484-485 (1987) ("It is axiomatic that the statutory definition of the term excludes unstated meanings of that term"); Colautti v. Franklin, 439 U.S. at 392-393, n. 10 ("As a rule, `a definition which declares what a term "means" . . . excludes any meaning that is not stated'"); Western Union Telegraph Co. v. Lenroot, 323 U.S. 490, 502 (1945); Fox v. Standard Oil Co. of N.J., 294 U.S. 87, 95-96 (1935) (Cardozo, J.); see also 2A N. Singer, Sutherland on Statutes and Statutory Construction § 47.07, p. 152, and n. 10 (5th ed. 1992) (collecting cases). *That is to say, the statute, read "as a whole [all sections considered TOGETHER]," post at 998 [530 U.S. 943] (THOMAS, J., dissenting), leads the reader to a definition. That definition does not include the Attorney General's restriction -- "the child up to the head." Its words, "substantial portion," indicate the contrary."*
[Stenberg v. Carhart, 530 U.S. 914 (2000)]

YOUR ANSWER:_____

39. Admit that the First Amendment recognizes a natural right to both politically and legally associate, and a right to be free of compelled association with any political or legal group.

"The right to associate or not to associate with others solely on the basis of individual choice, not being absolute, may conflict with a societal interest in requiring one to associate with others, or to prohibit one from associating with others, in order to accomplish what the state deems to be the common good. ***The Supreme Court, though rarely called upon to examine this aspect of the right to freedom of association, has nevertheless established certain basic rules which will cover many situations involving forced or prohibited associations.*** *Thus, where a sufficiently compelling state interest, outside the political spectrum, can be accomplished only by requiring individuals to associate together for the common good, then such forced association is constitutional.* [12] ***But the Supreme Court has made it clear that compelling an individual to***

[12] Lathrop v. Donohue, 367 U.S. 820, 81 S.Ct. 1826, 6 L.Ed.2d. 1191 (1961), reh'g denied, 368 U.S. 871, 82 S.Ct. 23, 7 L.Ed.2d. 72 (1961) (a state supreme court may order integration of the state bar); Railway Emp. Dept. v. Hanson, 351 U.S. 225, 76 S.Ct. 714, 100 L.Ed. 1112 (1956), motion denied, 351 U.S. 979, 76 S.Ct. 1044, 100 L.Ed. 1494 (1956) and reh'g denied, 352 U.S. 859, 77 S.Ct. 22, 1 L.Ed.2d. 69 (1956) (upholding the validity of the union shop provision of the Railway Labor Act).

The First Amendment right to freedom of association of teachers was not violated by enforcement of a rule that white teachers whose children did not attend public schools would not be rehired. Cook v. Hudson, 511 F.2d. 744, 9 Empl.Prac.Dec. (CCH) ¶ 10134 (5th Cir. 1975), reh'g denied, 515 F.2d. 762

become a member of an organization with political aspects, or compelling an individual to become a member of an organization which financially supports, in more than an insignificant way, political personages or goals which the individual does not wish to support, is an infringement of the individual's constitutional right to freedom of association. [13] *The First Amendment prevents the government, except in the most compelling circumstances, from wielding its power to interfere with its employees' freedom to believe and associate, or to not believe and not associate; it is not merely a tenure provision that protects public employees from actual or constructive discharge.* [14] *Thus, First Amendment principles prohibit a state from compelling any individual to associate with a political party, as a condition of retaining public employment.* [15] *The First Amendment protects nonpolicymaking public employees from discrimination based on their political beliefs or affiliation.* [16] *But the First Amendment protects the right of political party members to advocate that a specific person be elected or appointed to a particular office and that a specific person be hired to perform a governmental function.* [17] *In the First Amendment context, the political patronage exception to the First Amendment protection for public employees is to be construed broadly, so as presumptively to encompass positions placed by legislature outside of "merit" civil service. Positions specifically named in relevant federal, state, county, or municipal laws to which discretionary authority with respect to enforcement of that law or carrying out of some other policy of political concern is granted, such as a secretary of state given statutory authority over various state corporation law practices, fall within the political patronage exception to First Amendment protection of public employees.* [18] *However, a supposed interest in ensuring effective government and efficient government employees, political affiliation or loyalty, or high salaries paid to the employees in question should not be counted as indicative of positions that require a particular party affiliation.* [19]**"**
[American Jurisprudence 2d, Constitutional law, §546: Forced and Prohibited Associations (1999)]

YOUR ANSWER:_____

40. Admit that the product of choosing one's political and legal associations is the status they declare on government forms using such words as "citizen", "resident", "inhabitant", and that any of the following activities by any government or officer

(5th Cir. 1975) and cert. granted, 424 U.S. 941, 96 S.Ct. 1408, 47 L.Ed.2d. 347 (1976) and cert. dismissed, 429 U.S. 165, 97 S.Ct. 543, 50 L.Ed.2d. 373, 12 Empl.Prac.Dec. (CCH) ¶ 11246 (1976).

Annotation: Supreme Court's views regarding Federal Constitution's First Amendment right of association as applied to elections and other political activities, 116 L.Ed.2d. 997 , § 10.

[13] Rutan v. Republican Party of Illinois, 497 U.S. 62, 110 S.Ct. 2729, 111 L.Ed.2d. 52, 5 I.E.R. Cas. (BNA) 673 (1990), reh'g denied, 497 U.S. 1050, 111 S.Ct. 13, 111 L.Ed.2d. 828 (1990) and reh'g denied, 497 U.S. 1050, 111 S.Ct. 13, 111 L.Ed.2d. 828 (1990) (conditioning public employment hiring decisions on political belief and association violates the First Amendment rights of applicants in the absence of some vital governmental interest).

[14] Rutan v. Republican Party of Illinois, 497 U.S. 62, 110 S.Ct. 2729, 111 L.Ed.2d. 52, 5 I.E.R. Cas. (BNA) 673 (1990), reh'g denied, 497 U.S. 1050, 111 S.Ct. 13, 111 L.Ed.2d. 828 (1990) and reh'g denied, 497 U.S. 1050, 111 S.Ct. 13, 111 L.Ed.2d. 828 (1990).

Annotation: Public employee's right of free speech under Federal Constitution's First Amendment–Supreme Court cases, 97 L.Ed.2d. 903.

First Amendment protection for law enforcement employees subjected to discharge, transfer, or discipline because of speech, 109 A.L.R. Fed. 9.

First Amendment protection for judges or government attorneys subjected to discharge, transfer, or discipline because of speech, 108 A.L.R. Fed. 117.

First Amendment protection for public hospital or health employees subjected to discharge, transfer, or discipline because of speech, 107 A.L.R. Fed. 21.

First Amendment protection for publicly employed firefighters subjected to discharge, transfer, or discipline because of speech, 106 A.L.R. Fed. 396.

[15] Abood v. Detroit Bd. of Ed., 431 U.S. 209, 97 S.Ct. 1782, 52 L.Ed.2d. 261, 95 L.R.R.M. (BNA) 2411, 81 Lab.Cas. (CCH) ¶ 55041 (1977), reh'g denied, 433 U.S. 915, 97 S.Ct. 2989, 53 L.Ed.2d. 1102 (1977); Parrish v. Nikolits, 86 F.3d. 1088 (11th Cir. 1996), cert. denied, 117 S.Ct. 1818, 137 L.Ed.2d. 1027 (U.S. 1997).

[16] LaRou v. Ridlon, 98 F.3d. 659 (1st Cir. 1996); Parrish v. Nikolits, 86 F.3d. 1088 (11th Cir. 1996), cert. denied, 117 S.Ct. 1818, 137 L.Ed.2d. 1027 (U.S. 1997).

[17] Vickery v. Jones, 100 F.3d. 1334 (7th Cir. 1996), cert. denied, 117 S.Ct. 1553, 137 L.Ed.2d. 701 (U.S. 1997).

Responsibilities of the position of director of a municipality's office of federal programs resembled those of a policymaker, privy to confidential information, a communicator, or some other office holder whose function was such that party affiliation was an equally important requirement for continued tenure. Ortiz-Pinero v. Rivera-Arroyo, 84 F.3d. 7 (1st Cir. 1996).

[18] McCloud v. Testa, 97 F.3d. 1536, 12 I.E.R. Cas. (BNA) 1833, 1996 FED App. 335P (6th Cir. 1996), reh'g and suggestion for reh'g en banc denied, (Feb. 13, 1997).

Law Reviews: Stokes, When Freedoms Conflict: Party Discipline and the First Amendment. 11 JL &Pol 751, Fall, 1995.

Pave, Public Employees and the First Amendment Petition Clause: Protecting the Rights of Citizen-Employees Who File Legitimate Grievances and Lawsuits Against Their Government Employers. 90 NW U LR 304, Fall, 1995.

Singer, Conduct and Belief: Public Employees' First Amendment Rights to Free Expression and Political Affiliation. 59 U Chi LR 897, Spring, 1992.

As to political patronage jobs, see § 472.

[19] Parrish v. Nikolits, 86 F.3d. 1088 (11th Cir. 1996), cert. denied, 117 S.Ct. 1818, 137 L.Ed.2d. 1027 (U.S. 1997).

of the government to recognize that status is a direct interference with the First Amendment right to politically and legally associate and constitutes a tort.

40.1 Refusing to recognize or give "force of law" to the status one declares on a government form.

40.2 Calling one's choice of status, such as "nonresident", frivolous, without merit, or false without evidence signed under penalty of perjury by the accuser.

40.3 Not providing ALL the possible choices on a government form, such as omitting the following statuses: "nontaxpayer", "nonresident", "transient foreigner".

40.4 Forcing the applicant to choose from a filtered list of status options that does represent all possible choices and saying they won't accept the form unless you choose only from the options presented. For instance, one is a nonresident and not an "individual" and yet the form only provides "individual" and "resident" as choices.

40.5 Refusing to accept government forms submitted to them that have attachments that provide legal definitions of the statuses indicated on the form, or which add status options deliberately omitted from the form.

YOUR ANSWER:_____

41. Admit that implicit in the First Amendment right of freedom to associate or disassociate is the right to CHOOSE what LEGAL group one wishes to join, and that domicile, or what the courts call "animus manendi" is the method of making that choice of LEGAL association.

YOUR ANSWER:_____

42. Admit that "taxes" cause those paying them to subsidize "political personages" as described in the Am.Jur quote above.

YOUR ANSWER:_____

43. Admit that domicile and that statutory "U.S. citizen" status that associates with it, and not nationality, is what determines whether "taxes" are owed.

> *"**Thus, the Court has frequently held that domicile or residence, more substantial than mere presence in transit or sojourn, is an adequate basis for taxation, including income, property, and death taxes**. Since the Fourteenth Amendment makes one a citizen of the state wherein he resides, **the fact of residence creates universally reciprocal duties of protection by the state and of allegiance and support by the citizen. The latter obviously includes a duty to pay taxes, and their nature and measure is largely a political matter.** Of course, the situs of property may tax it regardless of the citizenship, domicile, or residence of the owner, the most obvious illustration being a tax on realty laid by the state in which the realty is located."*
> *[Miller Brothers Co. v. Maryland, 347 U.S. 340 (1954)]*

> *"**This right to protect persons having a domicile, though not native-born or naturalized citizens, rests on the firm foundation of justice, and the claim to be protected is earned by considerations which the protecting power is not at liberty to disregard**. **Such domiciled citizen pays the same price for his protection as native-born or naturalized citizens pay for theirs. He is under the bonds of allegiance to the country of his residence, and, if he breaks them, incurs the same penalties. He owes the same obedience to the civil laws. His property is, in the same way and to the same extent as theirs, liable to contribute to the support of the Government. In nearly all respects, his and their condition as to the duties and burdens of Government are undistinguishable.**"*
> *[Fong Yue Ting v. United States, 149 U.S. 698 (1893)]*

> *"**The power of taxation, indispensable to the existence of every civilized government, is exercised upon the assumption of an equivalent rendered to the taxpayer in the protection of his person and property, in adding to the value of such property**, or in the creation and maintenance of public conveniences in which he shares -- such, for instance, as roads, bridges, sidewalks, pavements, and schools for the education of his children. **If the taxing power be in no position to render these services, or otherwise to benefit the person or property taxed, and such property be wholly within the taxing power of another state, to which it may be said to owe an allegiance, and to which it looks for protection, the taxation of such property within the domicil of the owner partakes rather of the nature of an extortion than a tax**, and has been repeatedly held by this Court to be beyond the power of the legislature, and a taking of property without due process of law. Railroad Company v. Jackson, 7 Wall. 262; State Tax on Foreign-Held Bonds, 15 Wall. 300; Tappan v. Merchants' National Bank, 19 Wall. 490, 499; Delaware &c. R. Co. v. Pennsylvania, 198 U.S. 341, 358. In Chicago &c. R. Co. v. Chicago, 166 U.S. 226, it was held, after full consideration, that the taking of private property [199 U.S. 203] without compensation was a denial of due process within the Fourteenth Amendment. See also Davidson v. New Orleans, 96 U.S. 97, 102; Missouri Pacific Railway v. Nebraska, 164 U.S. 403, 417; Mt. Hope Cemetery v. Boston, 158 Mass. 509, 519."*
> *[Union Refrigerator Transit Company v. Kentucky, 199 U.S. 194 (1905)]*

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YOUR ANSWER:_____

44. Admit that one cannot be a statutory "U.S. citizen" pursuant to 8 U.S.C. §1401 without a domicile on federal territory subject to the exclusive jurisdiction of Congress under Article 1, Section 8, Clause 17 of the United States Constitution.

YOUR ANSWER:_____

45. Admit that if one starts out as a statutory "U.S. citizen" pursuant to 8 U.S.C. §1401 and changes their domicile to be outside of the "United States" as defined in 26 U.S.C. §7701(a)(9) and (a)(10), such as a constitutional state of the Union, then they cease to be a statutory "U.S. citizen" and instead become a "nonresident alien" pursuant to 26 U.S.C. §771(b)(1)(B).

YOUR ANSWER:_____

46. Admit that you cannot be a jurist or a voter in most jurisdictions unless you have a domicile in a place, and that if income tax liability attaches to ones choice of domicile, then income taxes in effect behave as "poll taxes".

YOUR ANSWER:_____

19.2 Interrogatories

1. After this article was published starting in 2001, people began using it to apply for passports as a "non-citizen national" using Department of State Form DS-11. This included the authors. In 2006, the Dept. of State changed the DS-11 form to recognize the existence of "non-citizen nationals"! They changed the perjury statement to add a reference to "non-citizen national". To wit:

> *"I declare under penalty of perjury that I am a United States citizen (**or non-citizen national**) and have not, since acquiring United States citizenship (**or U.S. nationality**), performed any of the acts listed under "Acts or Conditions" on this application form (unless explanatory statement is attached). I declare under penalty of perjury that the statements made on this application are true and correct."*
> *[Department of State Form DS-11;*
> *SOURCE: http://famguardian.org/TaxFreedom/Forms/Emancipation/DS-0011.pdf]*

Those who are "non-citizen nationals" can now simply check "NO" in answer to whether their parents are "U.S. citizens" in Block 21 and sign the form and MUST be presumed to be a "non-citizen national" by the recipient of the form in accordance with 8 U.S.C. §1452. This corroborating behavior of the government raises the following questions:

1.1. Why would the Department of State Form DS-11 change their passport application form to accommodate the research in this pamphlet if we are wrong?

1.2. Why does the Dept. of State *continue* to approve passport applications that indicate that the application is a "non-citizen national", including the DS-11 application of the author?

2. "Expatriation" is defined in *Perkins v. Elg*, 307 U.S. 325 (1939) as:

> *"Expatriation is the voluntary renunciation or abandonment of nationality and allegiance."*
> *[Perkins v. Elg, 307 U.S. 325, 59 S.Ct. 884, 83 L.Ed. 1320 (1939)]*

How can you abandon your nationality as a "national" or "state national" with the Secretary of the State of the United States** under 8 U.S.C. §1481 if you didn't have it to begin with?

3. Naturalization is defined in 8 U.S.C. §1101(a)(23) as:

> *TITLE 8 > CHAPTER 12 > SUBCHAPTER I > Sec. 1101.*
> *Sec. 1101. - Definitions*
>
> *(a)(23) The term "naturalization" means the conferring of **nationality** [NOT "citizenship" or "U.S. citizenship", but "nationality", which means "national"] of a state upon a person after birth, by any means whatsoever. "*

How can you say a person isn't a "national" after they were naturalized, and if they are, what type of "national" do they become? As a "national" born outside of exclusive federal legislative jurisdiction and the "United States**", do they meet the requirements of 8 U.S.C. §1452 and if not, why not?

4. The Supreme Court declared that the term "United States***" used in the Constitution is not a "nation", but a "society" in *Chisholm v. Georgia*:

> *"By that law **the several States and Governments spread over our globe, are considered as forming a society, not a NATION**. It has only been by a very few comprehensive minds, such as those of Elizabeth and the Fourth Henry, that this last great idea has been even contemplated. 3rdly. and chiefly, I shall examine the important question before us, by the Constitution of the United States[***], and the legitimate result of that valuable instrument. "*
> *[Chisholm v. Georgia, 2 Dall. (U.S.) 419, 1 L.Ed. 440 (1794)]*

What exactly does it mean to be a "national of the United States***" within the meaning of the Constitution and not federal law?

5. The early U.S. Congress in 1796 enacted a law found in the Statutes at Large at 1 Stat. 477 in which they referred to people born within states of the Union simultaneously as both "American citizens" and "citizens of the United States **of America**". This was shortly after the Constitution had been ratified that created the "United States". They deliberately didn't use the phrase "citizens of the United States" that describes a statutory citizen found in 8 U.S.C. §1401. See:

1 Stat. 477, SEDM Exhibit #01.004 http://sedm.org/Exhibits/ExhibitIndex.htm

This is the same "United States of America" used in the Articles of Confederation that have never been repealed and which the U.S. Supreme Court referred to as the collective states of the Union rather than the federal government created by the Constitution.

> ***As a result of the separation from Great Britain by the colonies, acting as a unit, the powers of external sovereignty passed from the Crown not to the colonies severally, but to the colonies in their collective and corporate capacity as the United States of America**. **Even before the Declaration, the colonies were a unit in foreign affairs, acting through a common agency-namely, the Continental Congress, composed of delegates from the thirteen colonies**. That agency exercised the powers of war and peace, raised an army, created a navy, and finally adopted the Declaration of Independence. Rulers come and go; governments end and forms of government change; but sovereignty survives. A political society cannot endure [299 U.S. 304, 317] without a supreme will somewhere. Sovereignty is never held in suspense. When, therefore, the external sovereignty of Great Britain in respect of the colonies ceased, it immediately passed to the Union. See Penhallow v. Doane, 3 Dall. 54, 80, 81, Fed.Cas. No. 10925. That fact was given practical application almost at once. The treaty of peace, made on September 3, 1783, was concluded between his Brittanic Majesty and the 'United States of America.' 8 Stat., European Treaties, 80.*

> *The Union existed before the Constitution, which was ordained and established among other things to form 'a more perfect Union.' Prior to that event, it is clear that **the Union, declared by the Articles of Confederation to be 'perpetual,' was the sole possessor of external sovereignty, and in the Union it remained without change save in so far as the Constitution in express terms qualified its exercise. The Framers' Convention was called and exerted its powers upon the irrefutable postulate that though the states were several their people in respect of foreign affairs were one.** Compare The Chinese Exclusion Case, 130 U.S. 581, 604 , 606 S., 9 S.Ct. 623. In that convention, the entire absence of state power to deal with those affairs was thus forcefully stated by Rufus King:*
> *[United States v. Curtiss-Wright Export Corporation, 299 U.S. 304 (1936)]*

Why can't I lawfully be the "citizen of the United States **of America**" described in this enactment and would this be a *constitutional* citizen or a *statutory* citizen? If I can't, when was this type of citizenship outlawed?

6. If a "national" is defined in 8 U.S.C. §1101(a)(21) simply as a person who owes "allegiance", then why can't a person who is domiciled in a state of the Union have allegiance to the confederation of states called the "United States***", which the Supreme Court said above was a "society" and not a "nation". And what would you call that "society", if it wasn't a "nation"? We call that society a "federation" which is served by a "federal government". The Supreme Court said in *Hooven and Allison v. Evatt* that there are *three* definitions of the term "United States" and *one* of those definitions includes the following, which is what I claim to be a "national" of:

> *"It may be merely the name of a sovereign occupying the position analogous to that of other sovereigns in the family of nations."*
> *[Hooven & Allison Co. v. Evatt, 324 U.S. 652 (1945)]*

7. How come I can't have allegiance to the "society" or "federation" called "United States*** *of America*" and define that "society" as being the collective states of the Union, and *exclude* from that definition the municipal government of the "United States**" in the District of Columbia? My allegiance is to the MASTER, which is the Sovereign People as individuals domiciled within the states of the Union who are collectively called the "United States*** *of America*", rather than their SERVANT, who is the municipal government of the District of Columbia called the "United States**". By having this kind of allegiance to the people instead of their public servants, I am fulfilling the second great commandment found in the Bible to love and protect my neighbor, aren't I?

 7.1. Why would God want me as a Christian to have allegiance to a WORTHLESS thing called a government or its agents, rather than to my fellow Sovereign Neighbor?

> *"Behold, the nations [and governments and politicians of the nations] are as a drop in the bucket, and are counted as the small dust on the scales."*
> *[Isaiah 40:15, Bible, NKJV]*

> *"**All nations [and governments] before Him [God] are as nothing**, and they are counted by Him **less than nothing and worthless**."*
> *[Isaiah 40:17, Bible, NKJV]*

> *"**He [God] brings the princes [and Presidents] to nothing; He makes the judges of the earth useless.**"*
> *[Isaiah 40:23, Bible, NKJV]*

> *"Indeed **they [the governments and the men who make them up in relation to God] are all worthless; their works are nothing**; their molded images [and their bureaus and agencies and usurious "codes" that are not law] are wind [and vanity] and confusion."*
> *[Isaiah 41:29, Bible, NKJV]*

> *"Arise, O Lord,*
> ***Do not let man [or governments made up of men] prevail;***
> ***Let the nations be judged [and disciplined] in Your sight.***
> ***Put them in fear [with your wrath and the timeless principles of your perfect and Glorious Law], O Lord,***
> ***That the nations may know themselves to be but men."***
> *[Psalm 9:19-20, Bible, NKJV]*

 7.2. The SERVANT, which is the municipal government of the District of Columbia and the public SERVANTS who make it up, *cannot* be greater than the MASTER, who is the Sovereign People it was created to SERVE in the states of the Union . Any other kind of allegiance is treason to the Constitution and idolatry towards political rulers, isn't it?

 7.3. Isn't idolatry towards political rulers inconsistent with the Christian faith, which requires our EXCLUSIVE allegiance to God?

> *"Away with you , Satan! For it is written, 'You shall worship the Lord your God, and Him **ONLY** [NOT the government!] you shall serve.'"*
> *[Jesus in Matt. 4:10, Bible, NKJV]*

 7.4. Remember, the Supreme Court said in *Hooven and Allison v. Evatt***,** 324 U.S. 652 (1945) that there are THREE definitions of the term "United States". The First Amendment to the United States*** Constitution guarantees me a right of free speech. Doesn't that right BEGIN, not END, with me being able to define the precise meaning of the words I use on government forms that ask about my citizenship so as to avoid leaving their meaning to presumption or conjecture or some judge or bureaucrat? Isn't it a conflict of interest in violation of 18 U.S.C. §208 for a judge or bureaucrat to be advising me on the meaning of words that describe my relationship to the government, if telling the truth would reduce his retirement benefits or pay? And why would I want to trust or believe any government form or publication that addressed citizenship issues to accurately portray the truth about citizenship because of such a conflict of interest?

8. Why can't or won't the federal government recognize that very specific type of allegiance described in the preceding question and characterize it as that of a "national but not citizen" as Title 8 of the United States** Code requires? Could it be that the love of money and power and jurisdiction exceeds their love for justice and respect for the rule of

law in this country? The Supreme Court said the federal government MUST be willing to acknowledge this type of allegiance when it said:

> ***"It is logical that, while the child remains or resides in territory of the foreign State [a state of the Union, in this case] claiming him as a national, the United States[**] should respect its claim to allegiance."***
> *[Perkins v. Elg, 307 U.S. 325, 59 S.Ct. 884, 83 L.Ed. 1320 (1939)*

9. The federal government has exclusive legislative jurisdiction over the following issues:
 9.1. "naturalization", under Article 1, Section 8, Clause 4 of the U.S. Constitution.
 9.2. The citizenship status of persons born in its own territories or possessions.

However, the federal government has *no* legislative power to determine citizenship by birth of persons born inside states of the Union, because the Constitution does not confer upon them that legislative power. All the cases and authorities that detractors of our position like to cite relate ONLY to the above subject matters, which are all governed exclusively by federal law, and federal legislation does not apply within states of the Union for this subject matter under the Constitution. Please therefore show us a case that involves a person born in state of the Union and *not* on a territory or possession in which the person claimed to be a "national" and not a "citizen" under 8 U.S.C. §1101(a)(21), and show us where the court said they *weren't*. You absolutely won't find such a case, because it is not only an impossibility, but an absurdity!

Affirmation:

I declare under penalty of perjury as required under 26 U.S.C. §6065 that the answers provided by me to the foregoing questions are true, correct, and complete to the best of my knowledge and ability, so help me God. I also declare that these answers are completely consistent with each other and with my understanding of both the Constitution of the United States, Internal Revenue Code, Treasury Regulations, the Internal Revenue Manual, and the rulings of the Supreme Court but not necessarily lower federal courts.

Name (print):_____

Signature:_____

Date:_____

Witness name (print):_____

Witness Signature:_____

Witness Date:_____

APPENDIX A: CITIZENSHIP DIAGRAMS

The following pages present simplified diagrams of citizenship, nationality, and domicile and how they relate to each other. They are useful as a learning tool for those who prefer to learn visually rather than using text.

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Citizenship, Nationality, and Tax Status

The following diagrams are provided to more clearly illustrate the difference between citizenship in terms of nationality and citizenship in terms of domicile, and how not knowing the difference greatly affects your legal standing with regard to the Federal government and the Internal Revenue Service.

What people colloquially regard as 'citizenship' is statutorily regarded as nationality – membership in a nation. However, in law, the term 'citizenship' can and is frequently used to connote 'domicile' – a term used to reflect the intended final or permanent residence of a person within or without the boundaries of a given territory of a nation – domicile is a political choice such as religious or political party affiliation.

Because the term 'citizenship' is so broadly used colloquially with regard to one's nationality, a misapplication of law can, and frequently does occur when 'citizenship' is used to connote domicile within the boundaries of the United States of America. This misunderstanding is not a problem when regarding citizens under the jurisdiction of a national government, as their political status as well as their civil status is for all practical purposes one-in-the-same. However, in a federal government such as that of the *"United States,"* there are two major territorial subdivisions within the nation, each of which is regarded separately under Organic Law, and consequently under federal statutes. The confusion is exacerbated by the fact that each of the major territorial subdivisions of the nation is referred to as the *"United States,"* and each falls within the nation known as the United States of America – colloquially called the *"United States."*

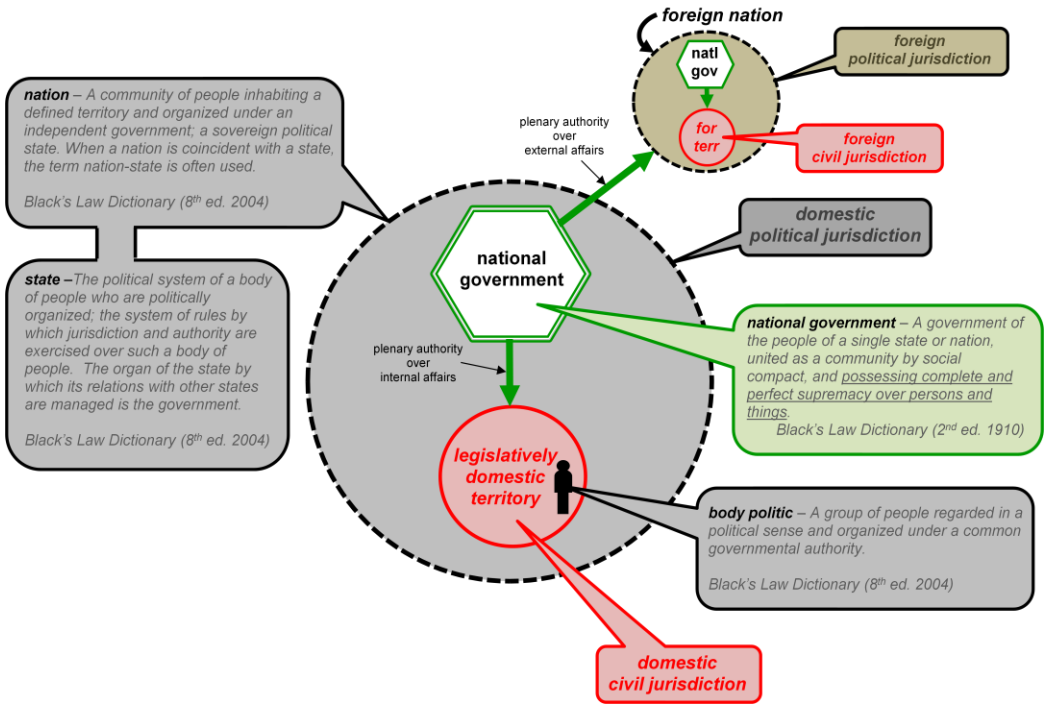
The root of the potential confusion is quite easily understood. The nation is called the *"United States,"* and each of its two major territorial subdivisions is called the *"United States."* Citizenship in terms of membership in the nation called the *"United States"* is obtained through the "citizenship clause" of the Fourteenth Amendment, and statutorily regarded as nationality – this commutes one's political status. Citizenship in terms of domicile within or without the boundaries of one of the major territorial subdivisions of the nation commutes one's civil status. Context, whether it is nationality or domicile, as well as which *"United States"* is to be regarded for the purposes of establishing each respectively is of paramount importance, as this establishes both political status and civil status. Nationality and domicile must not be conjoined as being one-in-the-same, but regarded separately under federal law if one does not wish to surrender critical rights and legal status.

The practical effect of all of this obfuscation is the creation of a system by the United States government which allows for the total usurpation of constitutional protections through 'voluntary compliance' mechanisms in the form of a private contract nexus with the government. In the course of such a contract, an American National will declare a federal domicile, and thus be subject to the exclusive jurisdiction of Congress and no longer protected by the Bill of Rights and other provisions in the Constitution which are designed to protect Americans in the 50 States. The most important being the levy of an unapportioned direct tax on the property of Americans, which is still restricted in the 50 States, unrestricted gun ownership and carriage, and the regulation of "civil rights" versus 'unalienable rights' which exist naturally in the 50 States and are not privileges granted by Congress. Additionally, the addictive and destructive nature of the social welfare state serves to only make the 'beneficiaries' more dependent on their once servant government, it does not "promote the general welfare," but rather provides the general welfare, and in the long run serves to destroy the liberty and private property rights of the citizenry. This is by design and the system benefits those who designed it.

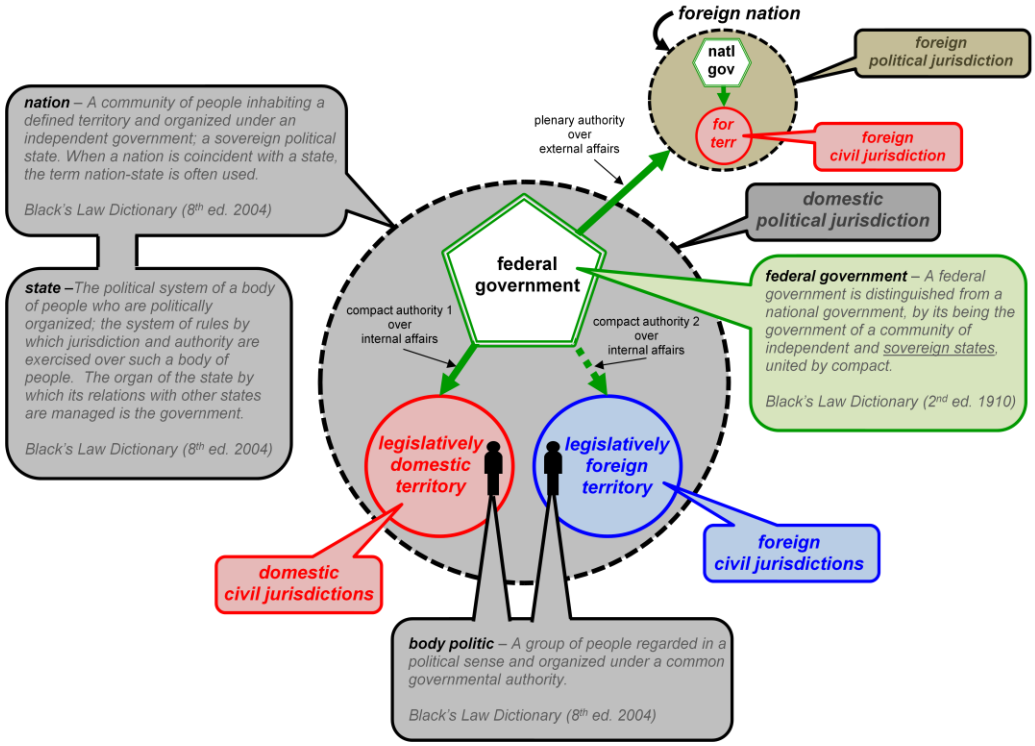
Please be certain – the methods of the United States government are constitutional and legal. This includes the most recently passed healthcare law. The healthcare law is constitutional because it is something that is volunteered for. If an American volunteers away his or her statutorily foreign *"nonresident alien"* tax status by affirming oneself as a *"U.S. Citizen"* during a Social Security Number application, subsequent submission of a W-4 in the private-sector, and subsequent Form 1040 tax filing, the mandates of the socialized healthcare law become mandatory. Most volunteered for socialized medicine when they were born and obtained an SSN – they just didn't know it because they don't understand the system.

Take heart America – there is a remedy! Proper understanding is the first step to reversing the damage. You have to understand where you have been deceived before you can obtain your remedy.

Typical Foreign Nation – National Government



The American Nation – Federal Government

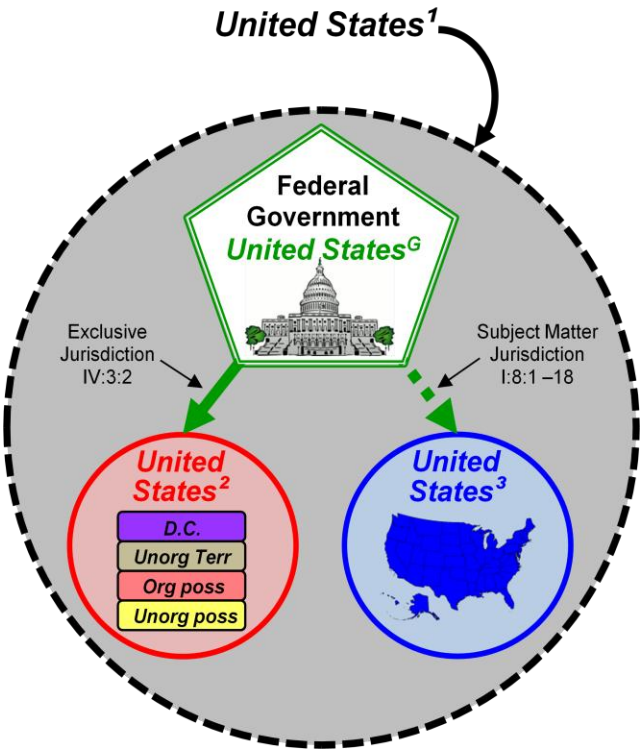


The Several Meanings of the Term "United States"

> *"The term 'United States' may be used in any one of several senses.* ***(1)*** *It may be merely the name of a sovereign occupying the position analogous to that of other sovereigns in the family of nations.* ***(2)*** *It may designate the territory over which the sovereignty of the United States* ***(G)*** *extends, or* ***(3)*** *it may be the collective name of the states which are united by and under the Constitution." [**Designations Added**]*
>
> *[Hooven & Allison Co. v. Evatt, 324 U.S. 652, (1945)]*

From the above Supreme Court ruling, one can see the term *"United States"* has several meanings, which have been designated *(1), (2), (3)* and *(G)*. The term *"United States"* can mean ***(1)*** the Nation, ***(2)*** the Federal territories over which the Federal Government's sovereignty extends, and ***(3)*** the 50 Union states united by and under the Constitution. The term *"United States"* can also mean ***(G),*** the Federal government itself. These meanings are annotated as follows:

United States[1] – The United States of America – the Nation (political sense)
United States[2] – D.C., Federal Territory and possessions – (geographical sense)
United States[3] – The 50 Union states – (geographical sense)
United States[G] – The Federal government – (corporate sense)



The Nation referred to as the ***United States[1]*** is a political entity comprised of the people (national body-politic), their government, and territory. The territory of the ***United States[1]*** is divided into two major subdivisions – the ***United States[2]*** and the ***United States[3]***. The ***United States[2]*** comprises the District of Columbia, Federal Territory and possessions. The ***United States[3]*** comprises the 50 sovereign Union states. The Federal Government – ***United States[G]*** – exercises exclusive, territorial jurisdiction over the ***United States[2]*** pursuant to art. IV, §3, cl. 2 of the Constitution, and specified and enumerated subject matter jurisdiction in the ***United States[3]*** pursuant to art. I, §8, cls. 1 – 18. This aspect of the *Separation of Powers Doctrine* was created by design in order to secure the freedoms of Americans.

United States[2], A Closer Look

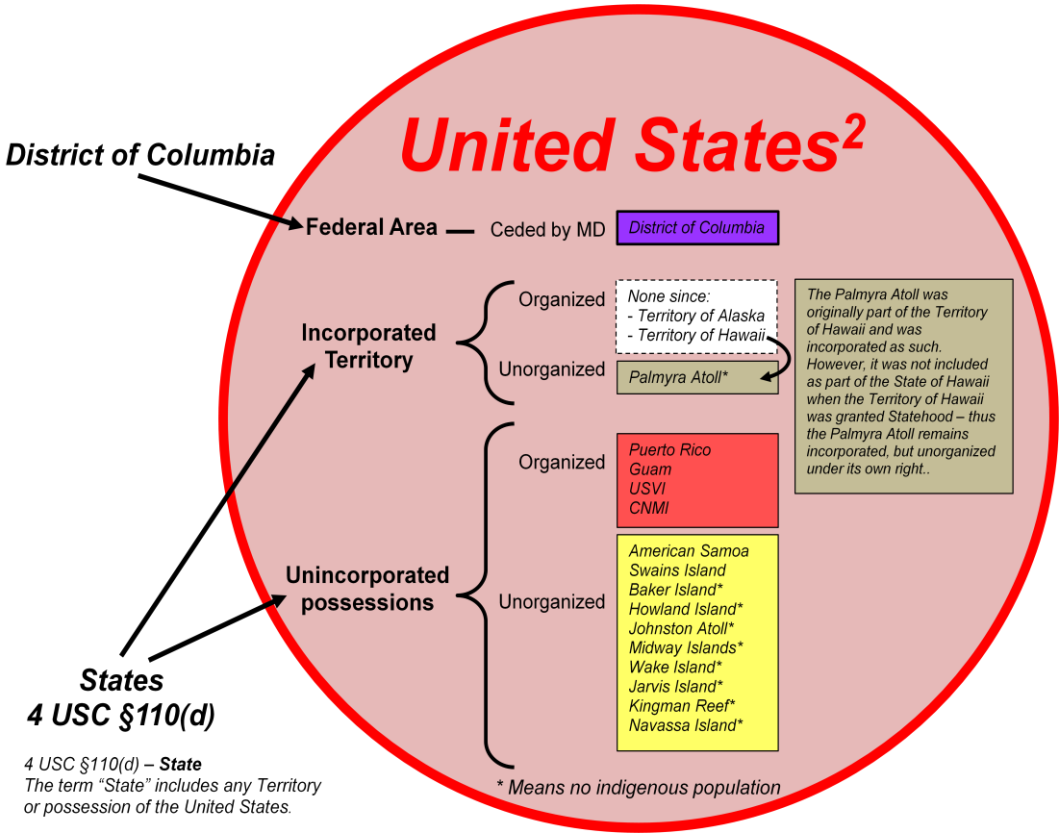
The following diagram illustrates a closer look at the territorial subdivision of the United States of America – ***United States[1]***, where an *"Act of Congress"* is locally applicable – ***United States[2]***. The authority for the governance of this territorial subdivision is granted to the Federal government under art. IV, §3, cl.2 and art. I, §8, cl. 17 of the United States Constitution.

Article IV, Section 3, Clause 2

"The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State."

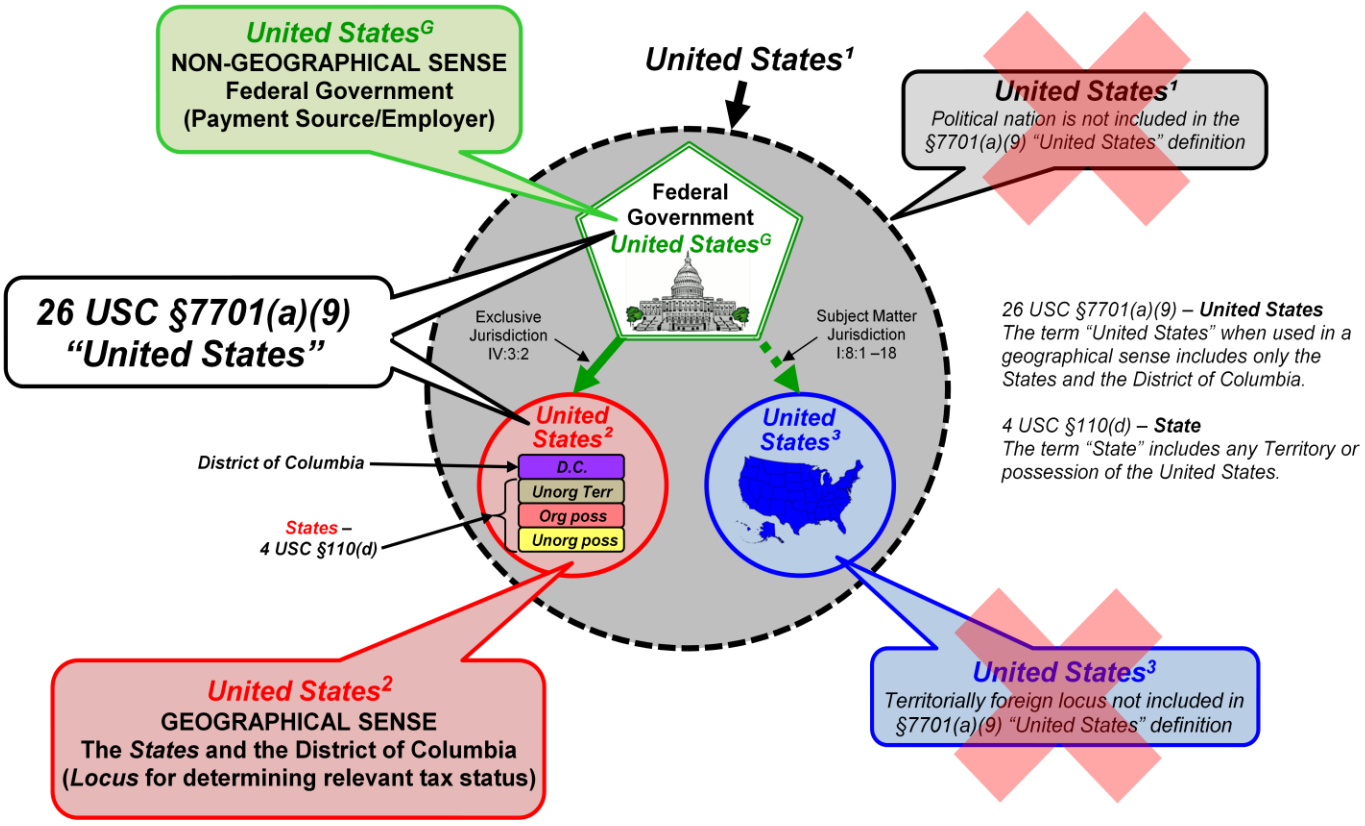
Article I, Section 8, Clause 17

"To exercise exclusive Legislation in all Cases whatsoever, over such District (not exceeding ten Miles square) as may, by Cession of particular States, and the Acceptance of Congress, become the Seat of the Government of the United States, and to exercise like Authority over all Places purchased by the Consent of the Legislature of the State in which the Same shall be, for the Erection of Forts, Magazines, Arsenals, dock-Yards, and other needful Buildings;"



Incorporated Territory = Full constitutional provisions extended to the Federal possession/territory.
Unincorporated possession = Full constitutional provisions ***not*** extended to the Federal possession/territory.
Organized = Organized under an Organic *"Act of Congress."*
Unorganized = ***Not*** organized under an Organic *"Act of Congress."*

The "United States" of 26 USC §7701(a)(9)



*"**In the constitution and laws of the United States the word 'citizen' is generally, if not always, used in a political sense, to designate one who has the rights and privileges of a citizen of a state or of the United States**. It is so used in section 1 of article 14 of the amendments of the constitution, which provides that 'all persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the state wherein they reside,' and that 'no state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States.' **But it is also sometimes used in popular [legal] language to indicate the same thing as resident, inhabitant, or person**."*

[Baldwin v. Franks, 120 U.S. 678 (1887)]

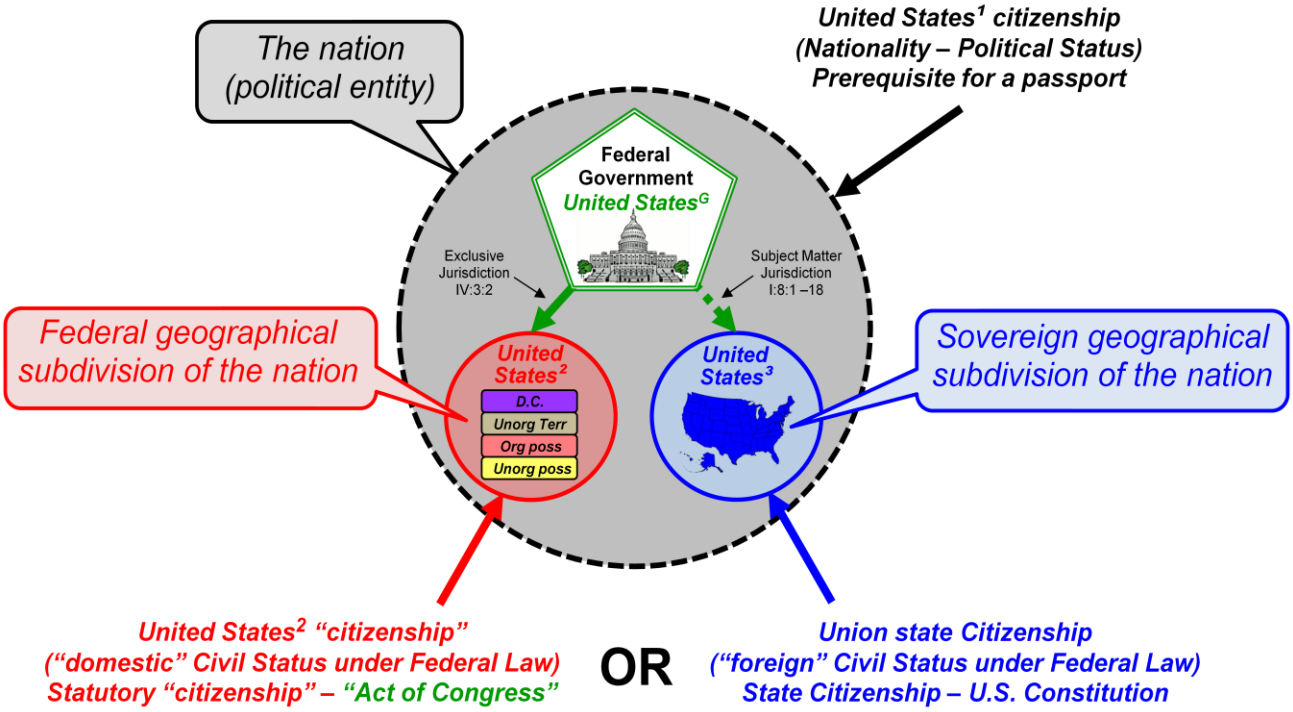
***domicile**. A person's legal home. That place where a man has his true, fixed, and permanent home and principal establishment, and to which whenever he is absent he has the intention of returning. Smith v. Smith, 206 Pa.Super. 310m 213 A.2d 94. Generally, physical presence within a state and the intention to make it one's home are the requisites of establishing a "domicile" therein. The permanent residence of a person or the place to which he intends to return even though he may actually reside elsewhere. A person may have more than one residence but only one domicile. **The legal domicile of a person is important since it, rather than the actual residence, often controls the jurisdiction of the taxing authorities and determines where a person may exercise the privilege of voting and other legal rights and privileges**. The established, fixed, permanent, or ordinary dwelling place or place of residence of a person, as distinguished form his temporary and transient, though actual, place of residence. It is his legal residence, as distinguished from his temporary place of abode; or his home, as distinguished from a place to which business or pleasure may temporarily call him. See also Abode; Residence. **"Citizenship," "habitancy," and "residence" are severally words which in particular cases may mean precisely the same as "domicile," while in other uses may have different meanings**. "Residence" signifies living in particular locality while "domicile" means living in that locality with intent to make it a fixed and permanent home. Schreiner v. Schreiner, Tex.Civ.App., 502 S.W.2d 840, 843. For purpose of federal diversity jurisdiction, "**citizenship" and "domicile" are synonymous**. Hendry v. Masonite Corp., C.A.Miss., 455 F.2d 955.*

Black's Law Dictionary (6th ed. 1990)

"It is locality [geographical sense] that is determinative of the application of the Constitution, in such matters as judicial procedure, and not the [political] status of the people who live in it."

[Balzac v. Porto Rico, 258 U.S. 298 (1922)]

Citizenship in the Context of Nationality or Citizenship in the Context of Domicile – What is the Difference?



*"'There is, however, one clear exception to the statement that there is no national common law. **The interpretation of the constitution of the United States is necessarily influenced by the fact that its provisions are framed in the language of the English common law, and are to be read in the light of its history**.' 124 U.S. 478 , 8 Sup. Ct. 569.*

[…]

*In Udny v. Udny (1869) L. R. 1 H. L. Sc. 441, the point decided was one of inheritance, depending upon the question whether the domicile of the father was in England or in Scotland, he being in either alternative a British subject. Lord Chancellor Hatherley said: **'The question of naturalization and of allegiance is distinct from that of domicile**.' Page 452. Lord Westbury, in the passage relied on by the counsel for the United States, began by saying: **'The law of England, and of almost all civilized countries, ascribes to each individual at his birth two distinct legal states or conditions,-one by virtue of which he becomes the subject of some particular country, binding him by the tie of natural allegiance, and which may be called his political status; another by virtue of which he has ascribed to him the character of a citizen of some particular country, and as such is possessed of certain municipal rights, and subject to certain obligations, which latter character is the civil status or condition of the individual, and may be quite different from his political status.**' And then, while maintaining that the civil status is universally governed by the single principle of domicile (domicilium), the criterion established by international law for the purpose of determining civil status, and the basis on which 'the personal rights of the party-that is to say, the law which determines his majority or minority, his marriage, succession, testacy, or intestacy- must depend,' he yet distinctly recognized that a man's political status, his country (patria), and his 'nationality,-that is, natural allegiance,'- 'may depend on different laws in different countries.' Pages 457, 460. He evidently used the word 'citizen,' not as equivalent to 'subject,' but rather to 'inhabitant'; and had no thought of impeaching the established rule that all persons born under British dominion are natural-born subjects."*

[U.S. v. Wong Kim Ark, 169 U.S. 649, 18 S.Ct. 456, 42 L.Ed. 890 (1898)]

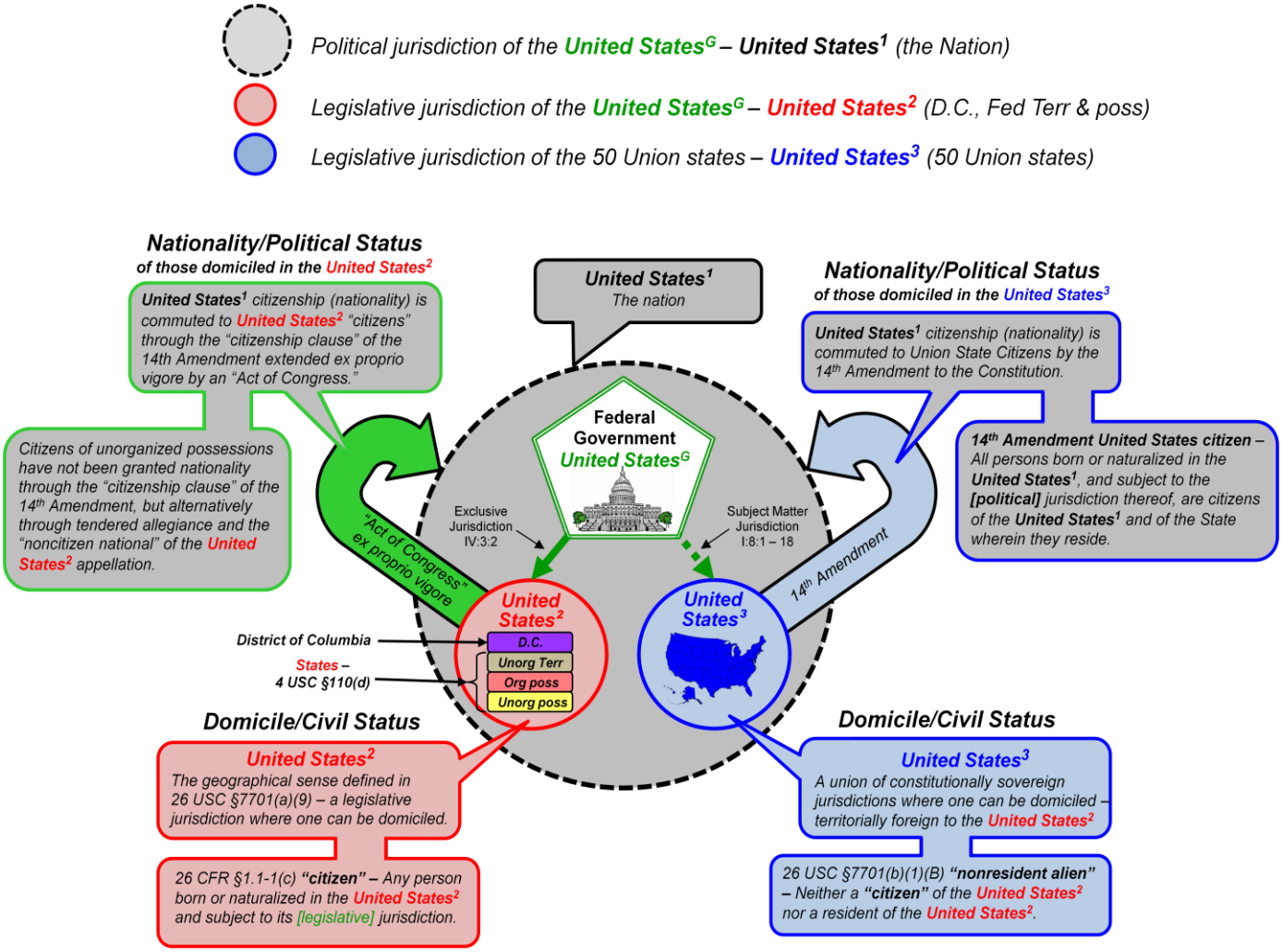
"Are you a U.S. Citizen?" – What's Really Being Asked?

When an American National is confronted with government forms, the question, *"Are you a U.S. Citizen?"* is often asked. Many presumptively affirm to their great detriment that they are, while not understanding the true context of the question. The confusion is understandable. Black's Law dictionary is accepted as an authoritative secondary source of law and sheds light on the obfuscation.

> ***citizenship*** – ***The status of being a citizen***. *There are four ways to acquire citizenship: by birth in the United States, by Birth in U.S. territories, by birth outside the U.S. to U.S. parents, and by naturalization.*
>
> *Black's Law Dictionary (6th ed. 1990)*

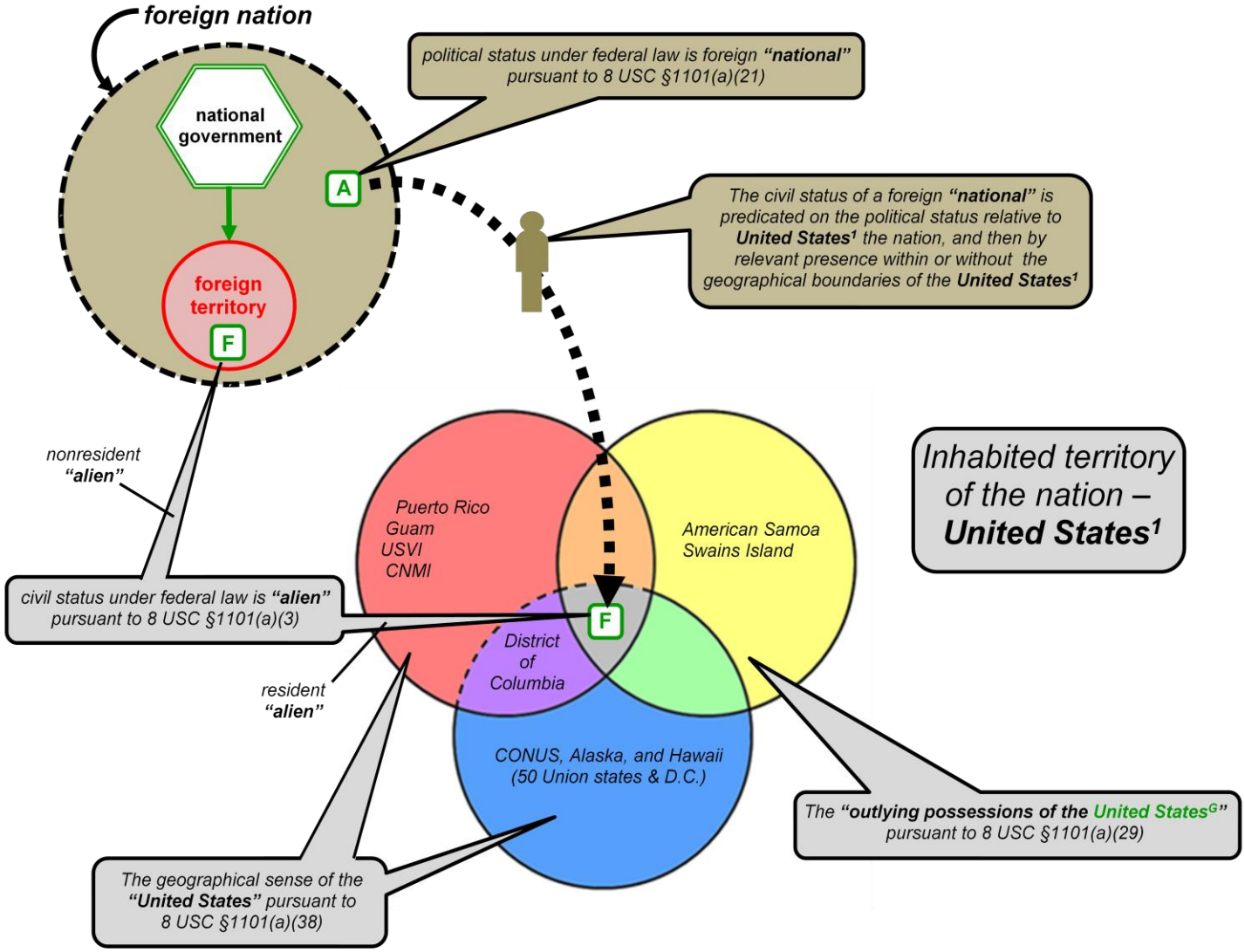
> ***nationality*** – *The relationship between a citizen of a nation and the nation itself, customarily involving allegiance by the citizen and protection by the state; membership in a nation.* ***This term is often used synonymously with citizenship***.
>
> *Black's Law Dictionary (8th ed. 2004)*

> ***nationality*** – *That quality or character which arises from the fact of a person's belonging to a nation or state.* ***Nationality determines the political status*** *of the individual, especially with reference to allegiance; while* ***domicile determines his civil status***. *Nationality arises either by birth or by naturalization.*
>
> *Black's Law Dictionary (6th ed. 1990)*



Classification of Foreign Nationals Under Federal Law

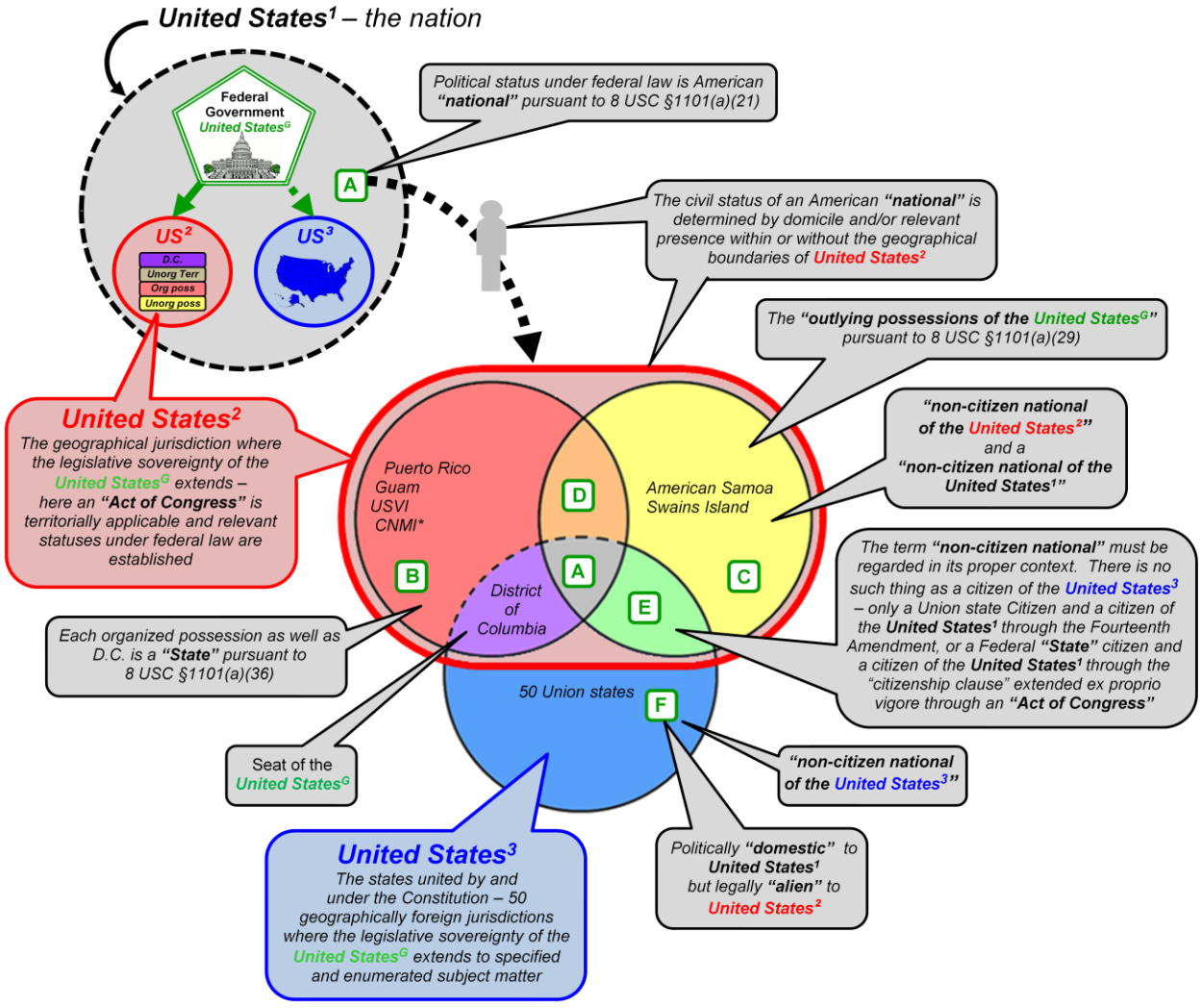
*The statutory term **"national"** describes the political status of a member of a nation. A foreign **"national"** is regarded as a political **"alien"** to the nation of the **United States**[1], but also as a statutory or legal **"alien"** relative to the territory within the **United States**[1]. Congress has always had legislative jurisdiction over a foreign **"national"** anywhere on American soil through Article I, Section 8, Clause 4 of the Constitution – the clause dealing with naturalization which is the conferring of nationality. See also 8 USC §1101(a)(23).*



A *8 USC §1101(a)(21) – **national** – a person owing permanent allegiance to a state*
F *8 USC §1101(a)(3) – alien – means any person **not** a citizen or national of the **United States**[1]*

Classification of American Nationals Under Federal Law

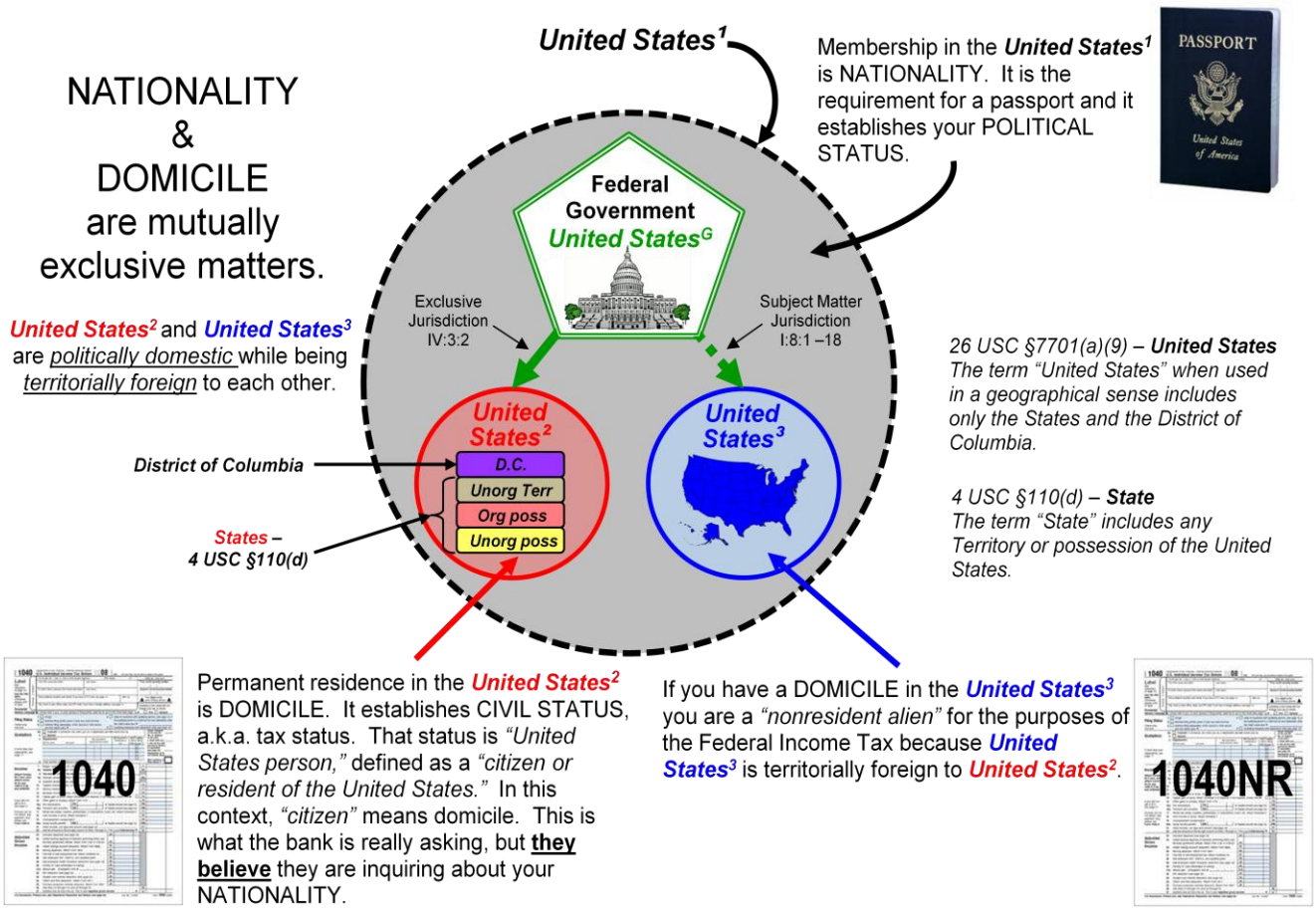
*The civil status of an American **"national"** is determined relative to **United States[2]** – the territorial division of the **United States[1]** where an **"Act of Congress"** and its promulgated statutes are territorially applicable. The statutory terms **"B"** through **"F"** describe statutory civil statuses relative to the **United States[2]**. A Union state Citizen maintains a civil status of nonresident **"alien"** when domiciled and residing outside of the **United States[2]**, while a foreign national anywhere within the confines of the **United States[1]** is regarded as a resident **"alien."** This American system of Federalism was created by design in order to protect the American People from the potential abuses of a National government.*



A 8 USC §1101(a)(21) – national
B 8 USC §1401 – nationals and citizens of the United States[2]
C 8 USC §1408 – national but not citizen of the United States[2]
D 8 USC §1101(a)(22) – national of the United States[2]
E 8 USC §1452 – non-citizen national
F 8 USC §1101(a)(3) – alien – means any person **not** a citizen or national of the United States[2]

* – Certain inhabitants of the CNMI can make the same elections as those from American Samoa and Swains Island

NATIONALITY & DOMICILE Are Exclusive Matters



Permanent residence in the ***United States²*** is DOMICILE. It establishes CIVIL STATUS, a.k.a. tax status. That status is *"United States person,"* defined as a *"citizen or resident of the United States."* In this context, *"citizen"* means domicile. This is what the bank is really asking, but **they believe** they are inquiring about your NATIONALITY.

If you have a DOMICILE in the ***United States³*** you are a *"nonresident alien"* for the purposes of the Federal Income Tax because ***United States³*** is territorially foreign to ***United States²***.

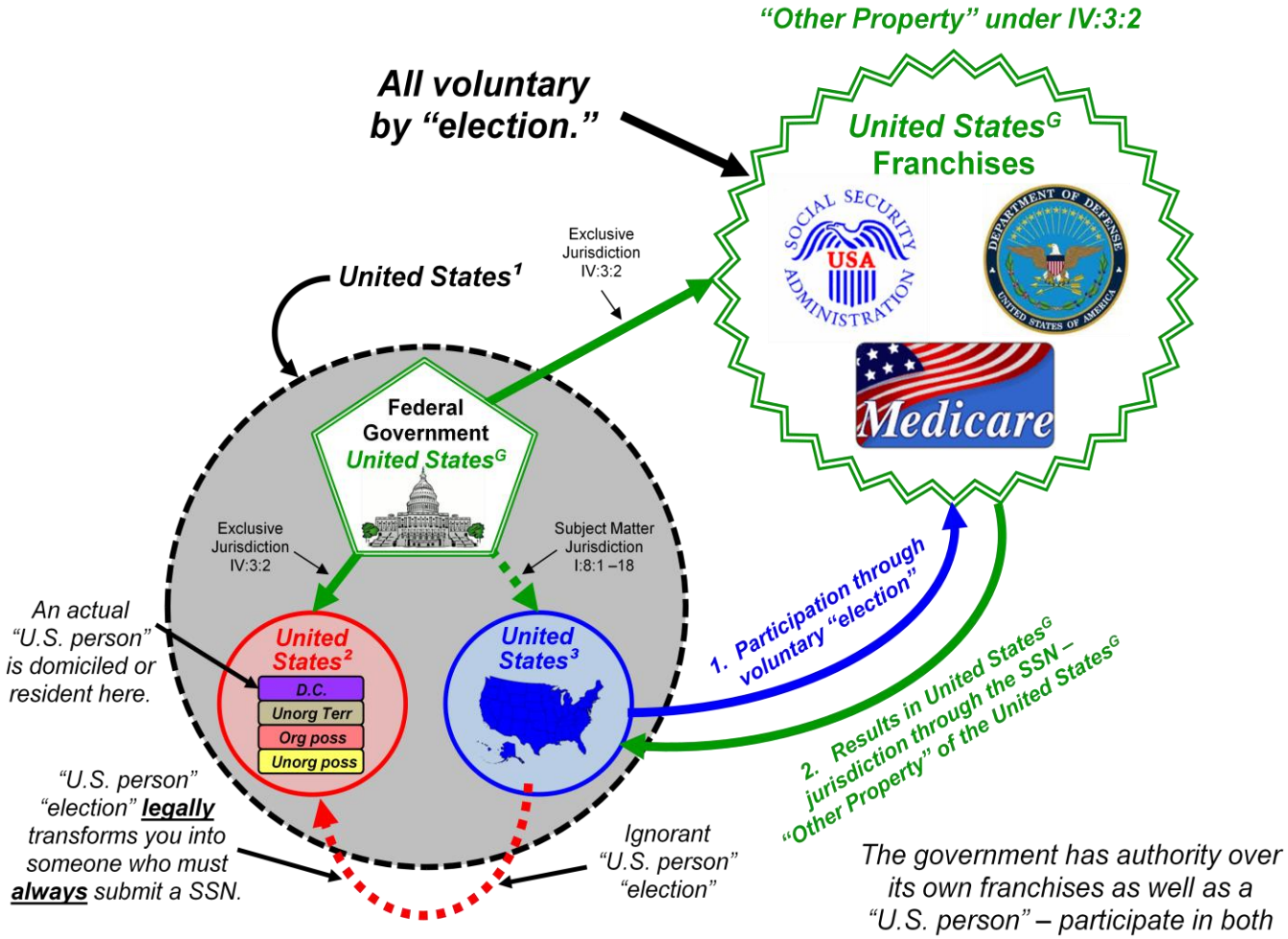
"U.S. person" must *always* give a SSN.
See 31 CFR §103.121.

A *"nonresident alien"* must provide a SSN *only* in the course of a *"trade or business."*
See 31 CFR §103.34(a)(3)(x).

When you go to the bank and try to claim your true and correct tax status of *"nonresident alien,"* customer service reps will demand a passport. They are confusing NATIONALITY/POLITICAL STATUS with DOMICILE/CIVIL STATUS. Within a bank's Customer Identification Program ("CIP") in the U.S.A., the customer is already presumed to be an American National, as American banks deal primarily with American Nationals – thus, the passport inquiry can be skipped. However, a politically foreign individual, such as a foreign national, must provide his or her passport in accordance with applicable laws. There is a great deal of information solicited in a typical bank CIP. However, just because information is solicited does not mean it must be given. 31 CFR §103.28 enumerates the requirements for identification. 31 CFR §103.121 enumerates the requirements for completing the CIP – the requirements under each regulatory section are mutually exclusive, just like nationality and domicile. A *request* for identification is not the same as *obtaining* information for CIP purposes. Furthermore, a request for a foreign address would be satisfied with any address within the 50 Union states as well as any place outside of the country. The term foreign is a term relative to the ***United States²*** – not the ***United States¹***.

How Government Obtains Jurisdiction Through "Election"

Americans constantly question how the Federal government (***United States***^{G}) has the right or authority to do the things they do. Every American has the right to contract through their right to freely associate guaranteed by the First Amendment to the United States Constitution – this includes contracting with the ***United States***^{G} for social insurance, *"employment" (not to be confused with 'work' in the private-sector)* future medical care, educational grants, or federal loans – in short, contracts or franchises. The ***United States***^{G} is a sub-sovereignty created by the will and hand of the American People. However, when an American voluntarily subjugates him or herself to that sub-sovereignty it no longer serves as servant, but as master. A true sovereign does not require social insurance, *"employment,"* or any other 'handout' originating from their servant government. However, once those franchises are freely contracted for, no infirmity can be claimed, as the individual has voluntarily subjected him or herself freely through the power of a private contract with the ***United States***^{G}. The situation is additionally exacerbated when a Union state Citizen "elects" a federal domicile by claiming to be a *"U.S. Citizen."* The *"U.S. Citizen"* "election" coupled with a federal franchise results in a practical total subjugation of property and rights to the ***United States***^{G}.

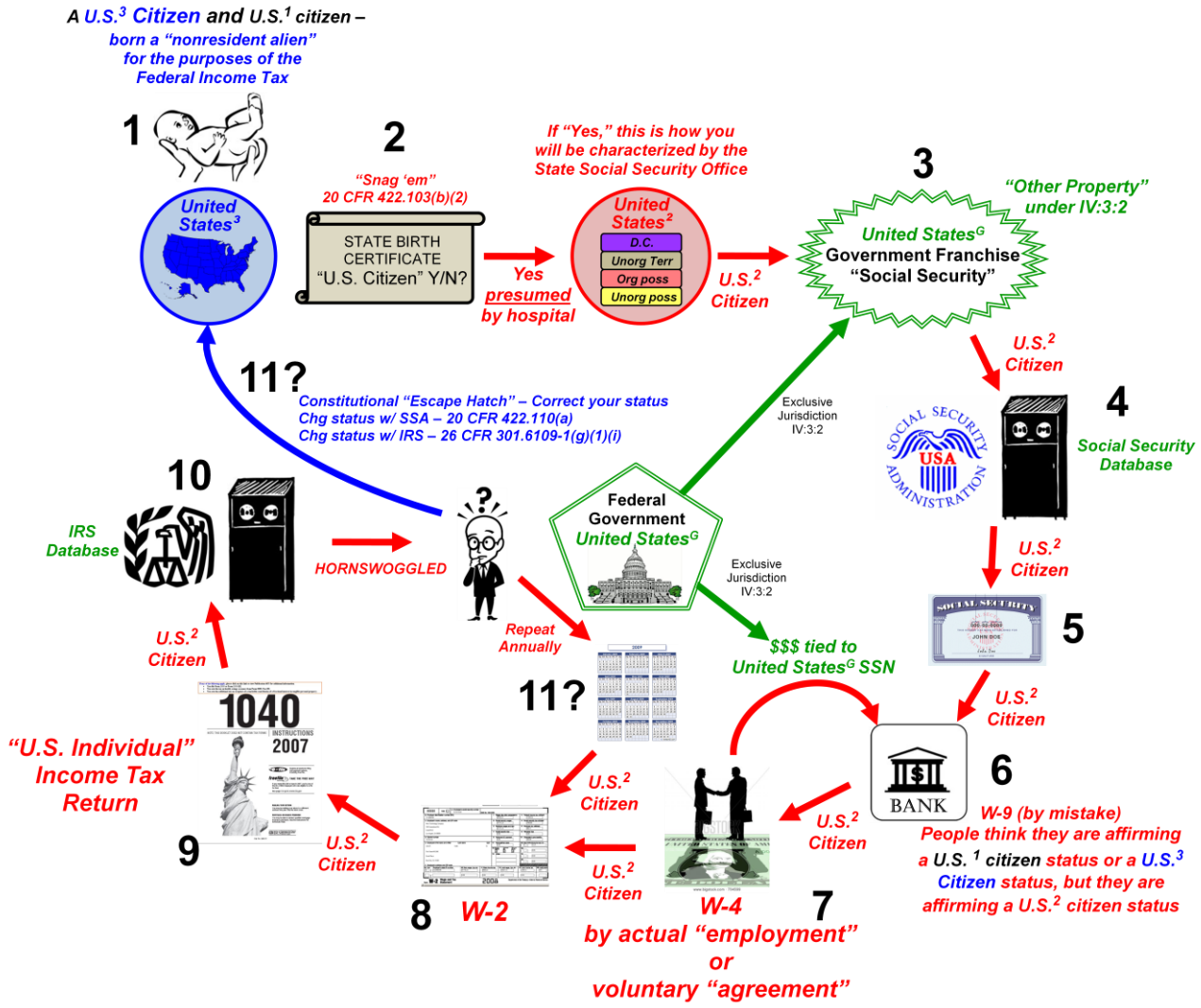


Submission of a W-9 or Bank Signature Card (substitute W-9) constitutes an "election" to establish a "U.S. person" status despite your actual "nonresident alien" status for the purposes of the Federal Income Tax.

The government has authority over its own franchises as well as a "U.S. person" – participate in both through "election" and you have essentially surrendered all benefits of Union state Citizenship protected by the Bill of Rights.

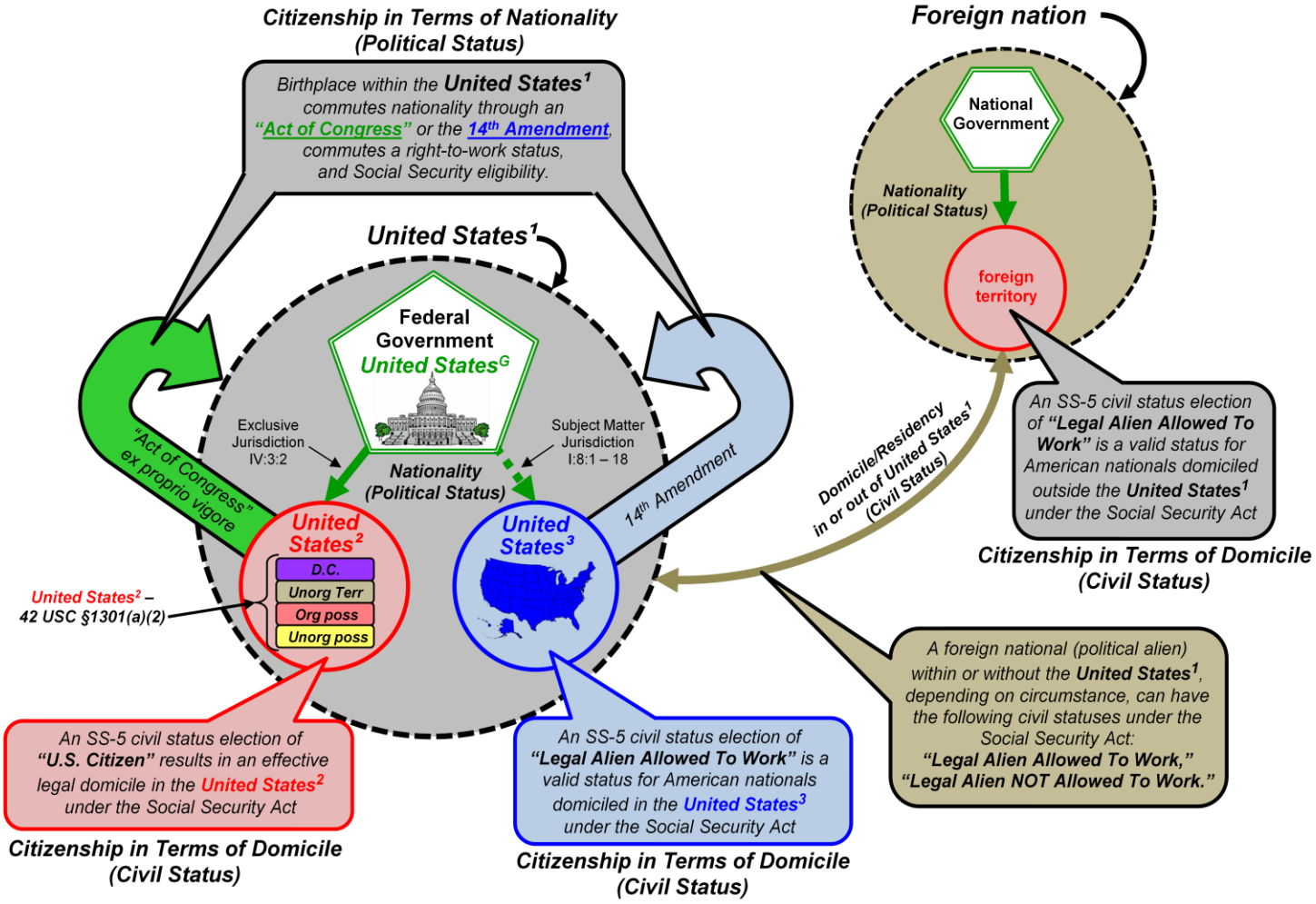
Example of How Ignorant Presumption Coupled with Participation in the Social Security Franchise Results in Your Subjugation to the Federal Government

Below is an example of how Americans subjugate themselves as well as all of their property to the ***United States***^{G}. It all transpires through two voluntary mechanisms – ignorant presumption about what a 'U.S. Citizen' is for the purposes of the Social Security franchise, and consequently, the Federal Income Tax, and a voluntary "agreement" to apply for social insurance through the birth registration process – a 100% voluntary ***United States***^{G} franchise. Your "agreement" coupled with your ignorance about your 'U.S. Citizenship' indemnifies the Social Security Administration. Your ignorance about this process throughout your life results in you also making a *"U.S. person"* "election" in the course of banking, business, and tax filing. Your additional ignorance about the indirect excise nature of the Federal Income Tax leads you to believe that working and banking is otherwise impossible without a Social Security Number – a myth widely accepted across the nation by not only the People in general, but by those most responsible for doing the "dirty work" for the ***United States***^{G} – the "gatekeeper": HR personnel, DMV clerks, and customer service representatives at financial institutions. The ***United States***^{G} has provided everyone with the remedy to conduct their affairs in accordance with the Constitution – as James Madison says: *"Knowledge is power."*



Birthplace and Political Status / Domicile and Civil Status Within the Context of Blocks #3 and #5 of Form SS-5

When many Americans sign up for Social Security by tendering application SS-5, a great deal of confusion can and does take place. Most Americans are unaware there are two characterizations for a person under law – 1) their birthplace in a nation and their allegiance to the same, which is referred to constitutionally and colloquially as 'citizenship,' but is statutorily referred to as nationality – this commutes political status, and 2) their permanent residence or domicile upon a geographical location, either within or without their own nation, which is colloquially referred to as 'residence,' but is more accurately referred to statutorily as a "citizen" – this commutes civil status. See *U.S. v. Wong Kim Ark, 169 U.S. 649 (1898)*. Many ascribe the colloquial meaning to the SS-5 block #5 elections, and wrongly presume a civil status of 'U.S. Citizen,' even though their physical domicile is located in one of the 50 foreign Union states. The 'U.S. Citizen' election transfers your legal domicile (not your physical domicile) for Social Security purposes, and consequently for the purposes of the Federal Income Tax, to the territorial subdivision of the nation where Congress exercises exclusive legislative jurisdiction, and where direct taxes can be levied without apportionment – a protection for State Citizens under the Constitution. See Article I, Section 2, Clause 3 and Article I, Section 9, Clause 4 of the United States Constitution. The transfer of your tax domicile to Federal territory is VERY ADVANTAGEOUS FOR THE GOVERNMENT!!!



State Citizen NOT a 'U.S. Citizen' for the Purposes of Social Security

Whenever people come across government forms, the nomenclature 'U.S. Citizen' is often present. This can be very confusing because the Constitution capitalizes the word 'Citizen' such as in the phrase 'State Citizen' to refer to an inhabitant of a Sovereign State. However, the word 'citizen' is used to describe nationality through the Fourteenth Amendment, which is a different citizenship from State Citizenship. United States citizenship is nationality and political status – State Citizenship is inhabitancy or domicile, and thus, civil status. Then we see the nomenclature 'U.S. Citizen' on a form, but it doesn't seem consistent with its apparent statutory equivalent from which the form in question was promulgated.

Forms have legal binding effect, but 'in-house' forms and publications should not be relied upon as a basis in-and-of-themselves for making legal conclusions, but rather the code from which they came (if enacted into positive law), or the Statutes at Large if the relevant code was not enacted into positive law. We know the government is in fact a manifestation of the original sovereigns of the country (the People), but in fact has been granted a sovereign status itself for the protection of property and rights . . . and . . . to contract and be contracted with, plead and be impleaded. As the sovereign government of the country, it operates in two capacities -- as the general government for a sovereign nation, and as the legislative authority over a geographical portion of our nation where an Act of Congress is locally applicable – namely ***United States***[2] under Art IV, Sec 3, Cl 2 of the Constitution.

When the term 'U.S. Citizen' is seen on a form, you know the government is acting in its sovereign capacity over that 'Citizen' for the 'U.S.' in question whether it is:

1. A political entity such as the nation (***United States***[1]), or;
2. A geographical entity such as ***United States***[2]

The Form SS-5 Block-5 is titled 'CITIZENSHIP,' with 'U.S. Citizen' as the first election available. We know therefore that if this option is selected, the applicant is placing itself under the sovereignty of the government for the purposes of this form and what it provides. The question in this case is, in what manner is the government operating – political or civil?

42 USC §1301(a)(1) defines the terms *"State"* as follows:

> *(a) When used in this chapter—*
> *(1) The term "State", except where otherwise provided, includes the* ***District of Columbia*** *and the* ***Commonwealth of Puerto Rico****, and when used in subchapters IV, V, VII, XI, XIX, and XXI of this chapter includes the* ***Virgin Islands*** *and* ***Guam****. Such term when used in subchapters III, IX, and XII of this chapter also includes the Virgin Islands. Such term when used in subchapter V and in part B of this subchapter of this chapter also includes* ***American Samoa****, the* ***Northern Mariana Islands****, and the* ***Trust Territory of the Pacific Islands****. Such term when used in subchapters XIX and XXI of this chapter also includes the Northern Mariana Islands and American Samoa. In the case of Puerto Rico, the Virgin Islands, and Guam, subchapters I, X, and XIV, and subchapter XVI of this chapter (as in effect without regard to the amendment made by section 301 of the Social Security Amendments of 1972) shall continue to apply, and the term "State" when used in such subchapters (but not in subchapter XVI of this chapter as in effect pursuant to such amendment after December 31, 1973) includes Puerto Rico, the Virgin Islands, and Guam. Such term when used in subchapter XX of this chapter also includes the Virgin Islands, Guam, American Samoa, and the Northern Mariana Islands. Such term when used in subchapter IV of this chapter also includes American Samoa.*

By the way . . . Chapter 7 is entitled: SOCIAL SECURITY, and the above definition describes ***United States***[2].

Then, 42 USC §1301(a)(2) defines the *"United States"* as follows:

> *(2) The term "United States" when used in a* ***geographical sense*** *means, except where otherwise provided, the States.*

There is the clue. The *"United States"* at issue is a geographical ***United States***[2], NOT a political ***United States***[1] such as the nation. Of course, proponents of statism and socialism will then engage in the

'includes and including' argument which is easy enough to destroy. But in this instance, it is not necessary. Look at how the term *"United States"* is defined in 42 USC §1301(a)(8)(C):

> *(C) The term "United States" **means** (but only for purposes of subparagraphs (A) and (B) of this paragraph) the **fifty States** and the District of Columbia.*

Of course 'means' means they are trying to make it very clear for their purposes, whereas 'includes' means they are trying to lead you astray presumptively. Pretty weak if you ask me, but it seems to have led the sheep to the slaughter quite nicely, so I guess it worked.

Now if you examine the subparagraphs (A) and (B) of paragraph (8), you see why the additional *"United States"* definition in (C):

> *(8)*
> *(A) The "Federal percentage" for any State (other than Puerto Rico, the Virgin Islands, and Guam) shall be 100 per centum less the State percentage; and the State percentage shall be that percentage which bears the same ratio to 50 per centum as the square of the per capita income of such State bears to the square of the per capita income of the **United States**; except that the Federal percentage shall in no case be less than 50 per centum or more than 65 per centum.*
>
> *(B) The Federal percentage for each State (other than Puerto Rico, the Virgin Islands, and Guam) shall be promulgated by the Secretary between October 1 and November 30 of each year, on the basis of the average per capita income of each State and of the **United States** for the three most recent calendar years for which satisfactory data are available from the Department of Commerce. Such promulgation shall be conclusive for each of the four quarters in the period beginning October 1 next succeeding such promulgation: Provided, That the Secretary shall promulgate such percentages as soon as possible after August 28, 1958, which promulgation shall be conclusive for each of the eleven quarters in the period beginning October 1, 1958, and ending with the close of June 30, 1961.*

They had to figure out a way to appropriate money off of the backs of the people of the 50 States (***United States***[3]) to the others that are domiciled in a *"State"* pursuant to 42 USC §1301(a)(1). If, the term *"State"* of 42 USC §1301(a)(1) could be presumptively enlarged to ALSO include Texas, California, New York, or Florida for example, there would have been no reason for the definition of *"United States"* in 42 USC §1301(a)(8)(C). But, we see by this very definition, that the fifty States are added for the purposes of calculating a per capita income, thus, they (the fifty States) are added for the purposes of 42 USC §1301(a)(8)(C) and they are therefore NOT ALSO included in the 42 USC §1301(a)(1) definition of *"State."* Thus, the fifty States are NOT within the meaning of *"United States"* defined in a geographical sense in 42 USC §1301(a)(2). Furthermore, the government can refer to the fifty States with a capital "S" because in this case, doing so does not usurp the sovereignty of the 50 States in this particular application -- it's merely a definition. If it did, they would have had to refer to them as the 50 states (lower-case "s").

We can confidently conclude that the geographical *"United States"* of 42 USC §1301(a)(2) is in fact ***United States***[2], and the 'U.S. Citizen' relative to this geographical entity would be someone domiciled there and subject to the legislative sovereignty of the Federal government in this region. If you are not domiciled in the geographical ***United States***[2] of 42 USC §1301(a)(2), but you are a member of the national body-politic within ***United States***[1], then you are a 'Legal Alien Allowed To Work' on Form SS-5 whereby an A-Number, I-766, or other federally mandated evidence of a right-to-work status is NOT required as in the case of a foreign national. See Form I-9 – it indicates a U.S. Passport as the primary evidence of a right-to-work status. As an American National domiciled in one of the fifty States, your *"alien"* status is secured by the First Amendment and falls 100% outside of the purview of Congress, and thus, the Social Security Administration. An A-Number or I-766 is not required for you and the Social Security Number Application Program (SSNAP) should be able to process your 'Legal Alien Allowed To Work' status by skipping the date field queries requested, which are otherwise for a foreign national. This is no different than skipping the "Passport #" and "country of issuance" queries at the bank when opening a *"nonresident alien"* bank account – it simply does not apply to you because you are an American National and not a foreign national. But it does cause a lot of cognitive dissonance at the bank and the SSA – this is by design.

Why is this important? If an American National would like to stop paying Federal Income Tax on his private-sector payments, keep what is his as private property, and in the process defund the social

welfare state, he must have a status which would indemnify a private-sector payer who has in almost all certainty taken on the legal characterization of an *"employer"* by –

1. Obtaining an EIN by submitting application Form SS-4 and declaring a ***United States***[2] domicile for tax purposes, and;

2. Entering into a voluntary withholding agreement with a similarly characterized person pursuant to 26 USC §3402(p)(3), whereby the payer agrees to be treated AS IF it were an *"employer"* paying *"wages"* to an *"employee."*

Thus, since the payer has most certainly entered into this type of arrangement for itself with other workers at the company, the characterization exists individually in every instance between the person submitting the W-4 and the company in its individual capacity which will be treated AS IF it were an *"employer."* Because the company has done this, any person not wishing to be characterized as an *"employee"* receiving *"wages"* from an *"employer"* must not only indemnify himself, but also the payer, as the payer has taken on this characterization voluntarily through agreements with other workers and the SS-4 application itself. The only way to indemnify oneself and the payer is to submit an appropriately modified Form W-8BEN without a SSN.

Before one can legally submit a W-8BEN to a payer, one must legally have the characterization allowing such a submission. If Form SS-5 has been filed whereby the applicant declares a ***United States***[2] domicile through the 'U.S. Citizen' election in Block 5, this status will be reflected in the individual's Social Security Numident Record. This information is further shared and corroborated by the IRS in the course of processing tax returns. Additionally, the most recent tax filing submitted to the IRS by the *"taxpayer"* was in all likelihood a Form 1040 – a form for those domiciled in ***United States***[2]. For this reason, an individual's SSN will also be reflected in the IRS database as belonging to a domicilary of ***United States***[2], and the W-8BEN submission will be deemed fraudulent and/or frivolous by the IRS if tendered and the submitter legally does not possess that status.

The implementing regulations of the tax code inform the *"taxpayer"* how to correct their status with the IRS. 26 CFR §301.6109-1(g)(1)(i) states the following:

> *(g) Special rules for taxpayer identifying numbers issued to foreign persons—*
> *(1) General rule--(i) Social security number.*
>
> *A social security number is generally identified in the records and database of the Internal Revenue Service as a number belonging to a U.S. citizen or resident alien individual. A person may establish a different status for the number by providing proof of foreign status with the Internal Revenue Service under such procedures as the Internal Revenue Service shall prescribe, including the use of a form as the Internal Revenue Service may specify. Upon accepting an individual as a nonresident alien individual, the Internal Revenue Service will assign this status to the individual's social security number.*

However, as illustrated in the discussion above, before a *"taxpayer"* can obtain this remedy with the IRS, the *"taxpayer"* must first correct his status with the SSA. 20 CFR §422.110(a) states the following:

> *Sec. 422.110 Individual's request for change in record.*
>
> *(a) Form SS-5. If you wish to change the name or other personal identifying information you previously submitted in connection with an application for a social security number card, you must complete and sign a Form SS-5 except as provided in paragraph (b) of this section. You must prove your identity, and you may be required to provide other evidence. (See Sec. 422.107 for evidence requirements.) You may obtain a Form SS-5 from any local Social Security office or from one of the sources noted in Sec. 422.103(b). You may submit a completed request for change in records to any Social Security office, or, if you are outside the U.S.,to the Department of Veterans Affairs Regional Office, Manila, Philippines, or to any U.S. Foreign Service post or U.S. military post. If your request is for a change of name on the card (i.e., verified legal changes to the first name and/or surname), we may issue you a replacement card bearing the same number and the new name. We will grant an exception from the limitations specified in Sec. 422.103(e)(2) for replacement social security number cards representing a change in name or, if you are an alien, a change to a restrictive legend shown on the card. (See Sec. 422.103(e)(3) for the definition of a change to a restrictive legend.)*

The truth of the matter is hidden in plain site. The Congress, through the SSA addresses those who they have legislative sovereignty over – namely, foreign nationals. Of course, as an American

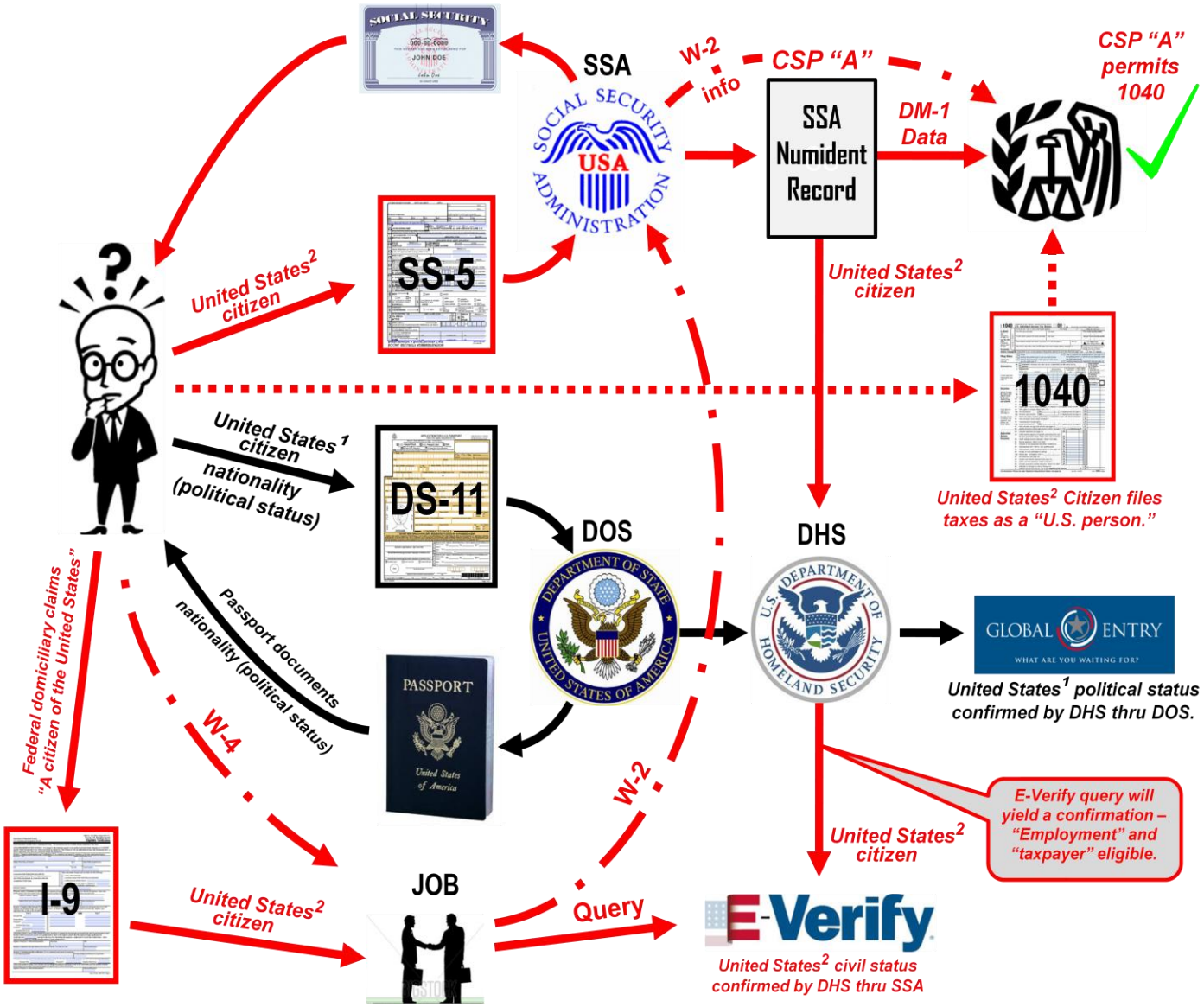
National, you are afforded equal protection of the law, and the above remedy also applies to you when desiring to change your civil status on file with the SSA.

Once a *"taxpayer"* submits a new SS-5, his Numident Record is updated. This Numident Record is continually referenced by the IRS to process federal income tax returns. Now, when a *"nonresident alien" "taxpayer"* pursues the remedy provided in 26 CFR §301.6109-1(g)(1)(i), the IRS will not flag the return as being fraudulent or frivolous, as the Social Security Numident Record of the *"taxpayer"* will now indicate 'Legal Alien Allowed To Work' and not 'U.S. Citizen.' This will allow a Form 1040NR to process without being flagged as fraudulent or frivolous. Following the successful correction of status with both the SSA and the IRS as provided for in the above regulatory language, the *"taxpayer"* now has the ability to legally opt-out of an otherwise mandatory W-4 within the private-sector because his status now reflects that of someone who legally can be a non-*"taxpayer"* while also providing the evidence to indemnify the company (a modified Form W-8BEN). Furthermore, this *"alien"* status is on file with the two government entities which control and regulate this very subject matter – the SSA and the IRS.

Every American National who wishes to reclaim the precious tenets of Federalism, and in the process, defund the social welfare state, can legally do so by applying the government's own guidance. 'Patriots' can argue all they want about being tricked into the system. Ignorance of the law is no excuse, and if said 'patriots' knew who they were to begin with, the above described method of remedy would not have to be accomplished, as the 'patriot' would have always remained in his naturally-born sovereign status – that of a *"nonresident alien"* non-*"taxpayer."* At some point, the 'patriot' submitted himself to the sovereignty of the Federal government either voluntarily through ignorance, or through well-intentioned means such as in *"service"* to his nation within a *"department"* as defined in the *Classification Act of 1923* and the *Classication Act of 1949*. However, even if done so with good intentions, an American who in the course of becoming a legitimate *"taxpayer"* did so while also declaring a ***United States***[2] domicile, he must now take steps to correct that status, and must further do so as a "taxpayer," as the IRS deals only with *"taxpayers"* and not non-*"taxpayers."* It is their franchise, therefore they can legitimately make the rules. Americans who value the 'Rule of Law' should also follow them.

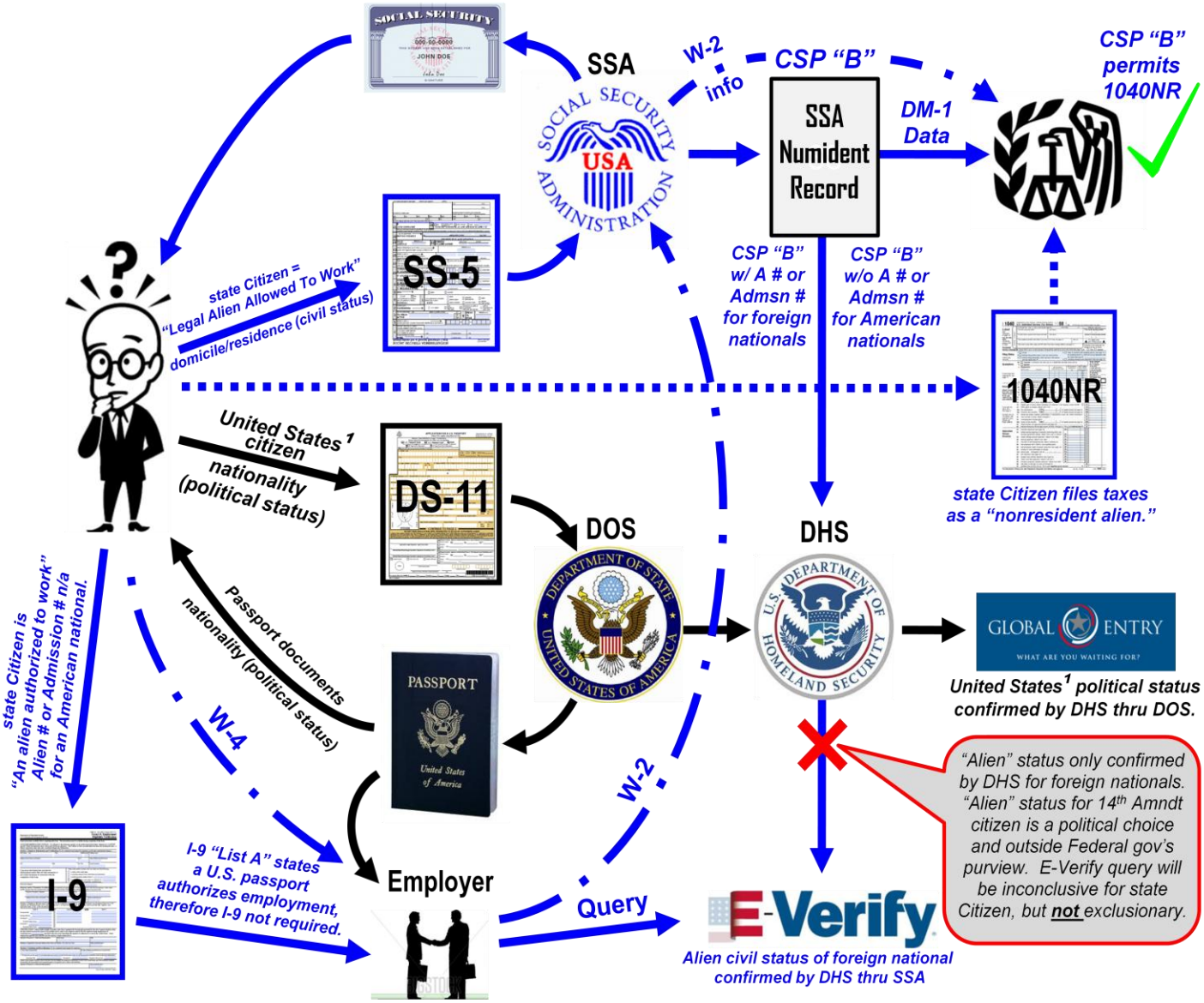
We are all currently in this mess the Federal Reserve has constructed for us. It has taken generations to build. Is what they have done moral? No! Is it legal? Yes! The Founding Fathers told us not to trust our government, and they baited the trap with cheese (legal tender and benefits) and we surrendered our sovereignty through sloth and ignorance. Our reward: A bankrupt nation-state dominated by the military-industrial complex and a parasitic population of which 50% consumes that which the other 50% produces. A good portion of this however, goes to the Federal Reserve in the form of interest payments on the legal tender borrowed by the government from the Federal Reserve who prints it for pennies, and then loans it at face value – a mathematically impossible situation entered into by our government with the privately-owned Fed back in 1913 – the same year the 16th Amendment was ratified. We can best serve our country by realizing who we are, correcting our status to that of a *"nonresident alien" "taxpayer"* in accordance with the law, and then finally using that corrected status to opt out of the federal income tax legally insofar as it is applied in the 50 States, and that is, as an indirect excise tax on income obtained in the course of federal activity. Otherwise, a *"taxpayer"* deemed domiciled in ***United States***[2] will continually make 'donations' under *Tax Class 5* to the United States Treasury through the 'voluntary compliance' mechanisms which are in fact legally binding, and have in fact legitimized the government's methods of enforcement against indoctrinated and uneducated Americans. Furthermore, direct taxes do not need to be apportioned in the ***United States***[2] or for those who have claimed a domicile there for the purposes of the federal income tax.

How A "U.S. Citizen" Interfaces Certain Government Systems



When an American national categorizes him or herself as a "U.S. Citizen" for ALL federal purposes, a complex system of gateways and checkpoints becomes activated. The above system works in harmony to establish a Federal tax domicile regardless of actual residence within the external boundaries of one of the 50 sovereign states of the Union. This declared federal tax domicile (a declaration which constitutes political speech) attaches with it certain obligations which create a nexus to otherwise voluntary franchise agreements. The legal obligations which accompany the declared domicile and the activity create a "taxpayer" status for ***all*** receipts, and a total loss of private property rights.

How Union state Citizens Can Interface Certain Government Systems



An American national can maintain the benefits of constitutional state Citizenship by properly characterizing him or herself as a statutory "alien" in matters regarding nationality AND domicile. Thus, a state Citizen is a statutory "alien" under Federal law and has the right to acquire payments tax free within the private-sector. Realize the *E-Verify* program only confirms the statutory "alien" status of a foreign national, as this status is simply a political affiliation for an American national, and falls 100% outside the purview of the Federal government. Knowing this and properly arranging one's affairs to reflect this reality is essential for retaining private property rights.

Federal Statutory Terms and Their Constitutional Equivalent

Terms in Federal Statutes (Authored by Congress)	Language in Constitution (Authored by the People)
United States[1] (political sense)[a]	**United States**[1] (the nation -- 14th Amdt)
United States (geographical sense)[b]	components individually addressed but not collectively
United States[2] (geographical sense)[c]	Territory or other Property of the **United States**[G] (IV:3:2)
the 50 States (capital "S")[d]	**United States**[3] (the 50 States united)
United States[G] (corporate sense)	**United States**[G] (the government -- 14th Amdt)
Nationality -- United States of America[e]	**United States**[1] citizenship (14th Amdt)
American National [f1, f2]	**United States**[1] citizen (14th Amdt)
United States[2] National [g]	not addressed
citizen (domiciliary)[h]	inhabitant
United States[2] citizen[i]	not addressed
state (lower-case "s")[j]	State (capital "S")
State (capital "S")[k]	Territory or other Property of the **United States**[G] (IV:3:2)
alien[l]	State Citizen
alien[m]	not addressed

[a] A political entity comprising relevant geography, its politically organized people, and their general government -- a sovereign nation

[b] Collective geography within the political jurisdiction of United States the nation (50 States, D.C., Federal Territory and possessions)

[c] A geographical entity comprising D.C., Federal Territory and possessions -- here an Act of Congress is locally applicable

[d] Addressed in this manner insofar as Union state sovereignty is not compromised -- a collection of 50 legislatively sovereign entities

[e] See Identification Page in U.S. Passport -- constitutional citizenship -- establishes political status within **United States**[1]

[f1] U.S.A. National/American National -- adjectives "U.S.A." and "American" seldomly used -- a 'U.S. Citizen' colloquially and on Form DS-11 (passport app)

[f2] Only Citizens of the 50 States are American Nationals through the 14th Amdt -- otherwise *ex proprio vigore* through an Act of Congress

[g] American National who obtained nationality *ex proprio vigore* through an Act of Congress

[h] A person subject to a particular legislative jurisdiction

[i] An American National with a domicile in D.C., a Federal Territory or a possession -- statutory citizenship -- a 'U.S. Citizen' on Form SS-5 (SSN app)

[j] A legislatively foreign state -- one of the 50 States or a foreign nation-state as they relate legislatively to Congress

[k] 4 USC §110(d), 8 USC §1101(a)(36), and 26 USC §7701(a)(10) -- Individually/combination of Fed Terr or possession of the United States and/or D.C.

[l] A Citizen of one of the 50 States with a legislatively foreign domicile -- civil status secured by the 1st Amdt and outside of Congressional purview

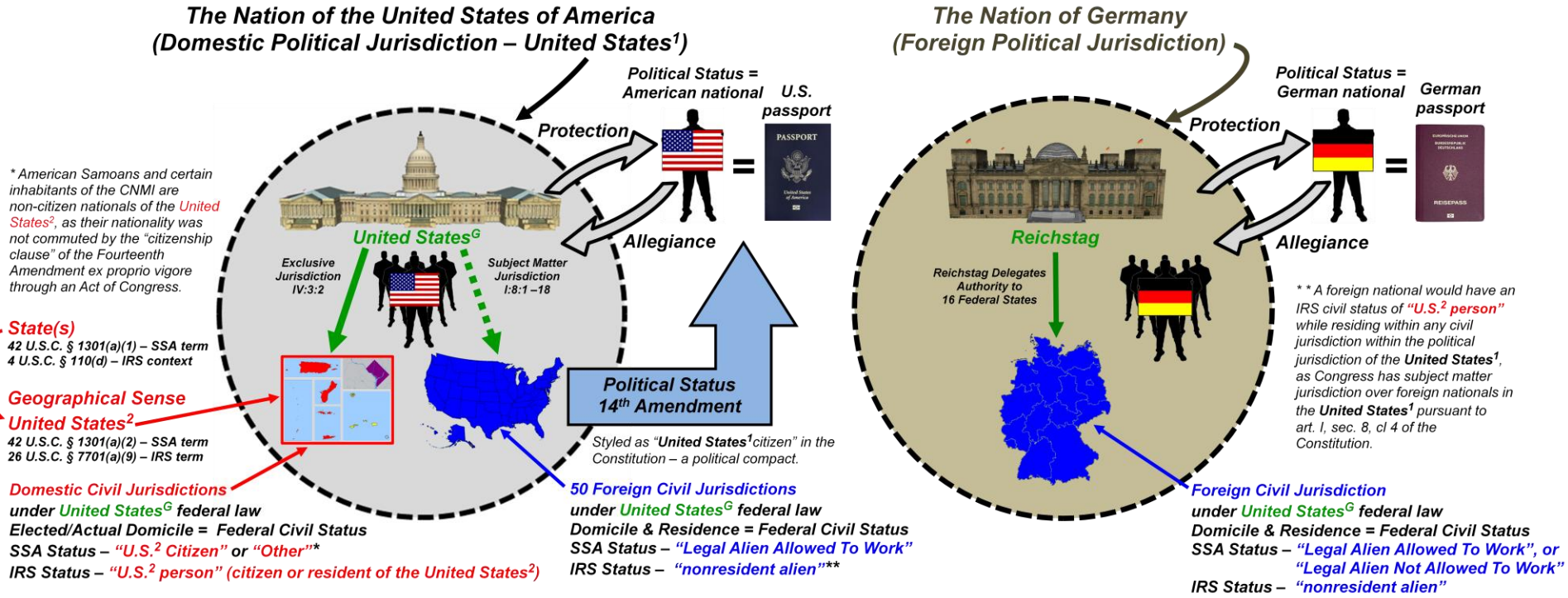
[m] A foreign national -- a civil status within Congressional purview pursuant to Art I, Sec 8, Cl 4 of the United States Constitution

Note: *The appearance of 'U.S. Citizen' on a government form should be construed as non-statutory nomenclature. Capitalization of the word 'Citizen' is an indication of the United States government acting in its sovereign capacity within an applicable context for the 'United States' in either* ***1.*** *its political jurisdiction in matters of nationality and political status within the* ***United States***[1]*, or* ***2.*** *its legislative jurisdiction in matters of geographical sovereignty and statutory civil status within* ***United States***[2]*. When 'U.S. Citizen' is proffered on a government form, the United States government is acting in a sovereign capacity -- it is incumbent upon the applicant to know in which capacity it is acting, whether in a political sense or a civil sense.*

Example 1. *The Department of State's Form DS-11 proffers the entity 'U.S. Citizen' as an option for selection. In this instance the United States government is acting in its sovereign capacity as the general government of the nation for American Nationals who have received their nationality and political status through the "citizenship clause" of the Fourteenth Amendment.* ***Hint:*** *In this instance, the "United States" at issue is a political entity -- the nation (****United States***[1]*).*

Example 2. *The Social Security Administration's Form SS-5 proffers the entity 'U.S. Citizen' as a civil status election within the 'Block 5 -- CITIZENSHIP' section of the form. In this instance the United States government is acting in its sovereign capacity within the legislative jurisdiction where an Act of Congress is locally applicable -- defined as the "United States" pursuant to 42 USC §1301(a)(2).* ***Hint:*** *In this instance, the "United States" at issue is a geographical entity -- a legislative and civil jurisdiction (****United States***[2]*).*

Political and Civil Jurisdiction – Domestic and Foreign



*"**There cannot be a nation without a people**. The very idea of a **political community, such as a nation is**, implies an association of persons for the promotion of their general welfare. Each one of the persons associated becomes a member of the nation formed by the association. **He owes it allegiance and is entitled to its protection**. Allegiance and protection are, in this connection, reciprocal obligations. The one is a compensation for the other; allegiance for protection and protection for allegiance." [**emphasis added**]*

Minor v. Happersett, 88 U.S. 162 (1874)

*"The persons declared to be citizens [in the 14th Amendment to the Constitution] are 'all persons born or naturalized in the United States, and subject to the jurisdiction thereof.' **The evident meaning of these last words is, not merely subject in some respect or degree to the [civil] jurisdiction of the United States, but completely subject to their political jurisdiction, and owing them direct and immediate allegiance**. And the words relate to the time of birth in the one case, as they do to the time of naturalization in the other. Persons not thus subject to the jurisdiction of the United States at the time of birth cannot become so afterwards, except by being naturalized, either individually, as by proceedings under the naturalization acts; or collectively, as by the force of a treaty by which foreign territory is acquired." [**emphasis added**]*

Elk v. Wilkins, 112 U.S. 94 (1884)

Political and Civil Jurisdiction – Domestic and Foreign cont'd

*"**In the constitution and laws of the United States the word 'citizen' is generally, if not always, used in a political sense, to designate one who has the rights and privileges of a citizen of a state or of the United States**. It is so used in section 1 of article 14 of the amendments of the constitution, which provides that 'all persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the state wherein they reside,' and that 'no state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States.' **But it is also sometimes used in popular language to indicate the same thing as resident, inhabitant, or person**." [**emphasis added**]*

Baldwin v. Franks, 120 U.S. 678 (1887)

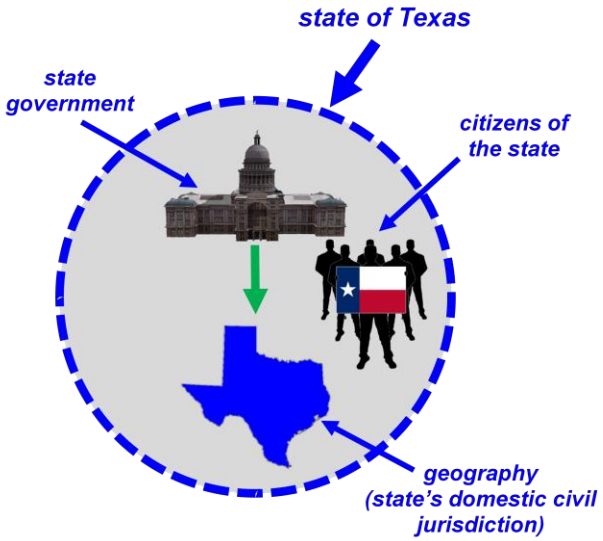
*"The law of England, and of almost all civilized countries, ascribes to each individual at his birth **two distinct legal states or conditions**,-one by virtue of which he becomes the subject of some particular country, binding him by the tie of natural allegiance, and which may be called his **political status**; another by virtue of which he has ascribed to him the character of a citizen of some particular country, and as such is possessed of certain municipal rights, and subject to certain obligations, which latter character is the **civil status** or condition of the individual, **and may be quite different from his political status**." [**emphasis added**]*

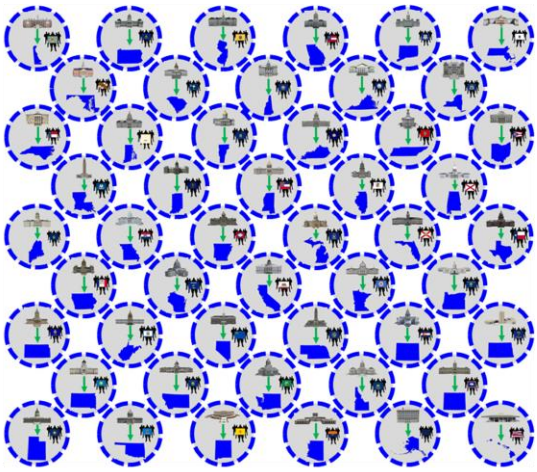
U.S. v. Wong Kim Ark, 169 U.S. 649 (1898)

States – Political Sense versus Geographical Sense

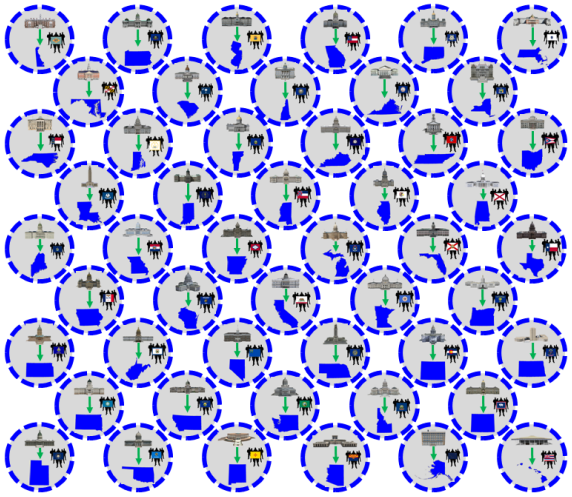
state *–The political system of a body of people who are politically organized; the system of rules by which jurisdiction and authority are exercised over such a body of people. The organ of the state by which its relations with other states are managed is the government.*

Black's Law Dictionary, 8th Edition 2004

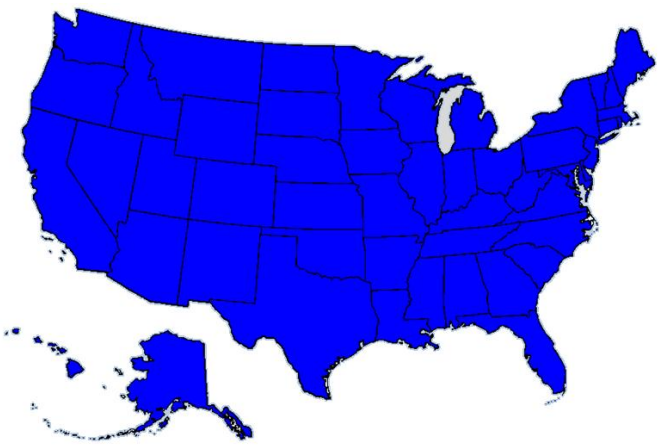




The state of Texas and the 50 states – Bodies Politic



50 Political Subdivisions of the Nation



50 Foreign Civil Jurisdictions

The 50 states – Represented in a Political Sense and in a Geographical Sense

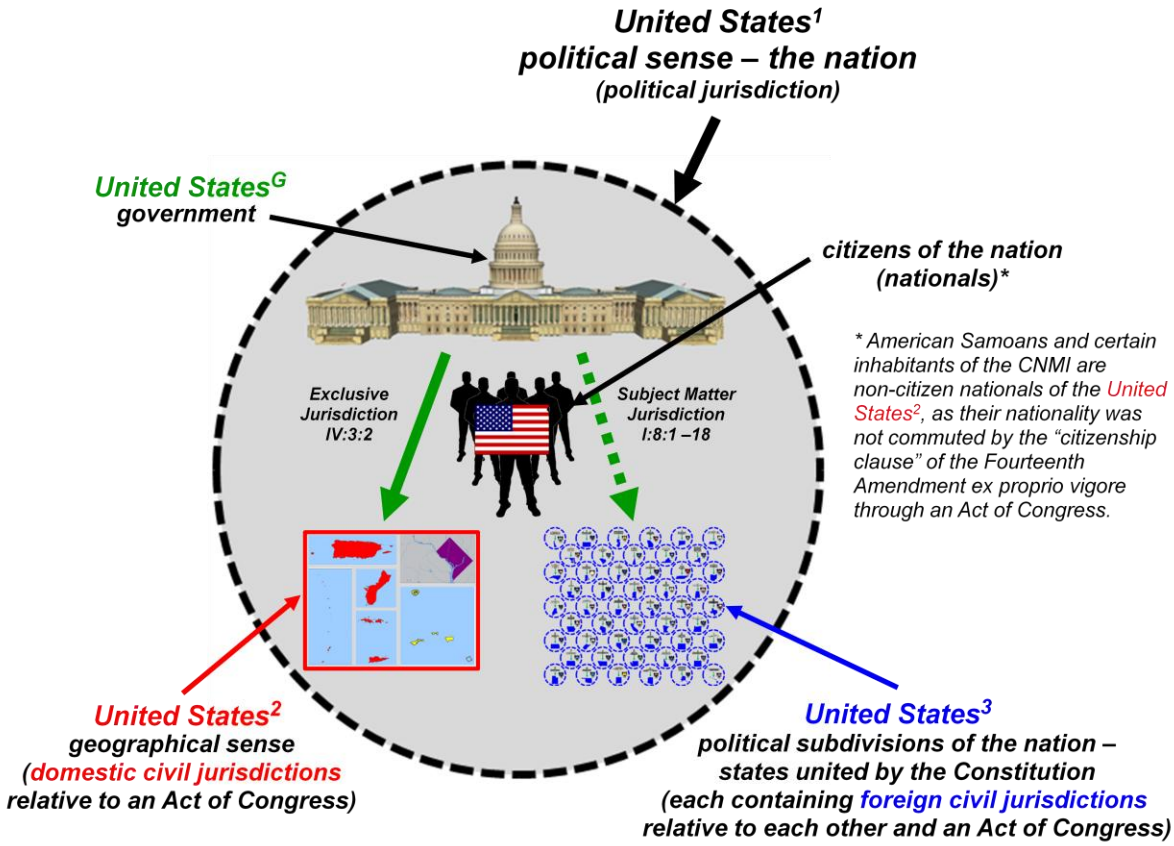
The "United States" and its Several Meanings

> ***nation*** *– A community of people inhabiting a defined territory and organized under an independent government; a sovereign political state. When a nation is coincident with a state, the term nation-state is often used.*
>
> *Black's Law Dictionary, 8th Edition 2004*

> *"The term 'United States' may be used in any one of several senses. It may be merely the name of a sovereign occupying the position analogous to that of other sovereigns in the family of nations. It may designate the territory over which the sovereignty of the United States extends, or it may be the collective name of the states which are united by and under the Constitution."*
>
> *Hooven & Allison Co. v. Evatt, 324 U.S. 652, (1945)*

There are four meanings addressed in the Hooven & Allison Co. ruling, and they are designated utilizing the following convention for the purposes of this illustration:

United States¹ *– The United States of America – the nation (political sense)*
United States² *– D.C., Federal Territory and possessions – (geographical sense)*
United States³ *– The 50 states – (political subdivisions of the nation)*
United States^{G} *– The federal government – (corporate sense)*



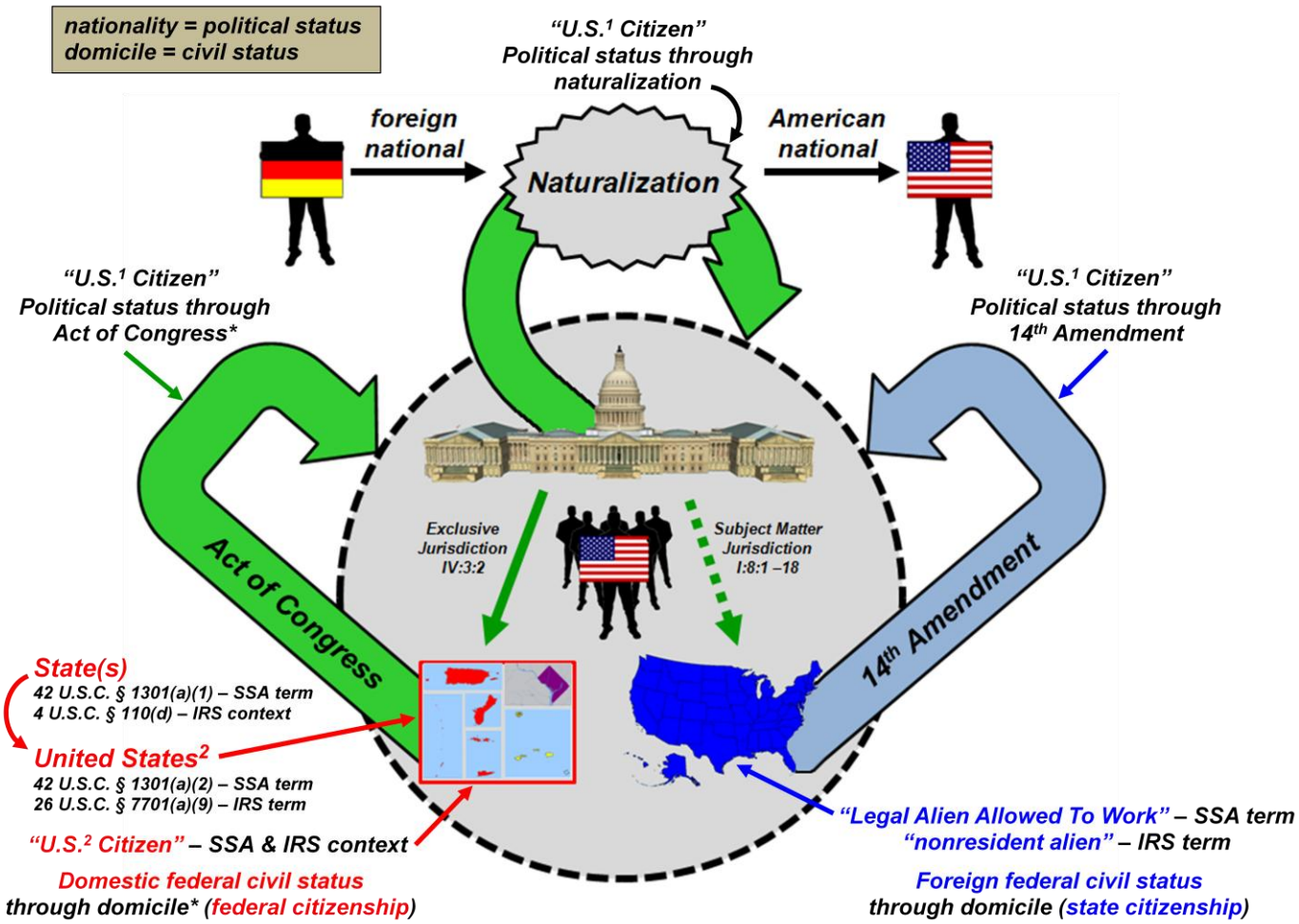
"United States" Citizenship – Political and Civil

nationality *– That quality or character which arises from the fact of a person's belonging to a nation or state.* ***Nationality determines the political status*** *of the individual, especially with reference to allegiance; while* ***domicile determines his civil status****. Nationality arises either by birth or by naturalization. [Source: U.S. v. Wong Kim Ark –* ***emphasis added****]*

Black's Law Dictionary, 6th Edition 1990

nationality *– The relationship between a citizen of a nation and the nation itself, customarily involving allegiance by the citizen and protection by the state; membership in a nation.* ***This term is often used synonymously with citizenship****. [Source: Baldwin v. Franks –* ***emphasis added****]*

Black's Law Dictionary, 8th Edition 2004



** American Samoans and certain inhabitants of the CNMI may have an SSA civil status of "Other," as they are non-citizen nationals of the United States2*

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